

Also, petitions of 55 citizens of Bisbee, Grand Forks, Hankinson, Napoleon, Park River, and Sherwood, all in the State of North Dakota, praying for the passage of the Hobson resolution providing for national prohibition; to the Committee on Rules.

By Mr. MARTIN: Petition of the Stanley County (S. Dak.) Sunday School Association, favoring national prohibition; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petition of the Army League of the United States, favoring passage of House bill 1833, to establish a council of national defense; to the Committee on Military Affairs.

By Mr. RAKER: Petition of the San Francisco Labor Council, protesting against national prohibition; to the Committee on Rules.

By Mr. RAYBURN: Petition of sundry citizens of Greenville, Tex., favoring national prohibition; to the Committee on Rules.

By Mr. WILLIS: Petition of the American Optical Association, in favor of House bill 13305, relative to price maintenance; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, September 3, 1914.

(Legislative day of Tuesday, August 25, 1914.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, before starting business this morning I think we ought to have a quorum. Therefore I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Myers	Shively
Bankhead	Gallinger	Nelson	Simmons
Brady	Jones	Norris	Smith, Ga.
Bryan	Kenyon	O'Gorman	Smoot
Burton	McCumber	Overman	Thompson
Chamberlain	McLean	Perkins	Thornton
Clarke, Ark.	Martin, Va.	Ransdell	Vardaman
Culberson	Martine, N. J.	Sheppard	White

Mr. THORNTON. I desire to announce the necessary absence of the Junior Senator from Colorado [Mr. SHAFROTH] on account of public business.

The VICE PRESIDENT. Thirty-two Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. LANE, Mr. SMITH of Michigan, and Mr. WILLIAMS answered to their names when called.

Mr. CLARK of Wyoming entered the Chamber and answered to his name.

The VICE PRESIDENT. Thirty-six Senators have answered. There is not a quorum present. The Sergeant at Arms will carry out the instructions of the Senate heretofore given and request the attendance of absent Senators.

Mr. LEA of Tennessee and Mr. DILLINGHAM entered the Chamber and answered to their names.

Mr. DILLINGHAM. I desire again to announce the absence of my colleague [Mr. PAGE] on account of illness in his family.

Mr. FALL, Mr. CHILTON, Mr. SHIELDS, Mr. THOMAS, Mr. WALSH, Mr. OWEN, Mr. REED, Mr. SHAFROTH, Mr. HOLLIS, Mr. SWANSON, and Mr. CAMDEN entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

THE AMERICAN RED CROSS.

The VICE PRESIDENT. The Chair finds among the rules for the regulation of the Senate wing of the Capitol the following rule:

Peddling, begging, and the solicitation of book or other subscriptions are strictly forbidden in the Senate wing of the Capitol, and no portion of said wing shall be occupied by signs or other devices for advertising any article whatsoever, excepting such signs as may be necessary to designate the entrances to the Senate restaurant.

The Chair, as far as the present occupant has been concerned, has enforced this rule strictly. The present unfortunate war in Europe is, however, calling upon the American Red Cross to make extra exertions for the purpose of obtaining money for the Red Cross, and they have been desirous that a subscription paper might be placed somewhere in the Senate wing of the Capitol so that any persons desiring might know how to send subscriptions to the American Red Cross, not with the intention of buttonholing Senators and other people and soliciting

subscriptions but for the purpose of giving the necessary information.

The Chair desires to inquire of the Senate whether the Senate thinks under these extraordinary circumstances there will be anything inappropriate in permitting this appeal of the American Red Cross to be displayed somewhere in the Senate wing of the Capitol Building. If there be no objection on the part of the Senate, the Chair will instruct the Sergeant at Arms of the Senate to so display the subscription list, with the understanding—

Mr. OVERMAN. Mr. President, all those matters ought to be left to the Committee on Rules. That committee has charge of the Senate wing under the rules of the Senate, and the committee will report on the matter.

The VICE PRESIDENT. Very well. Then the matter will be referred to the Senate Committee on Rules.

Mr. WILLIAMS. Mr. President, I hope the Senator from North Carolina will withdraw his request for a reference of this matter. It does not strike me as the sort of matter to be referred to a committee and delayed at all. Here are these people going unarmed and unawed and unafraid to every battle field in Europe. I think they had better be allowed to put up their list in the Sergeant at Arms' office so as to let us see what it is.

Mr. OVERMAN. The committee can attend to it as quickly as the Senate can do it. The matter will be attended to to-day.

Mr. WILLIAMS. What is necessary, except that we merely agree that they may be allowed to place their list in the office of the Sergeant at Arms and that we may know it is there?

Mr. OVERMAN. Such matters under the rule are in the control of the committee.

Mr. SMOOT. Mr. President, I ask unanimous consent that the rule may be suspended for this particular purpose. It seems to me that will have to be done, anyhow, after the Committee on Rules has taken action, and if it is done now it would obviate any reference to the committee, and bring the question immediately to the attention of the Senate.

Mr. OVERMAN. I have no objection to doing exactly what is requested to be done. The committee would do that. All such matters have heretofore been referred to the Committee on Rules, and this ought to be so referred. I have no objection, however, to the unanimous consent being given as requested.

Mr. GALLINGER. Mr. President, I think the Senator from North Carolina ought rather to insist that the request go to the Committee on Rules. I am a member of that committee, and I think we can dispose of it in the usual way, and get it back here immediately.

Mr. WILLIAMS. I also am a member of the Committee on Rules; but I apprehend we may have some trouble in getting a quorum.

Mr. OVERMAN. A quorum is here. We can attend to the matter in 20 minutes.

The VICE PRESIDENT. The request will go to the Committee on Rules.

Mr. WILLIAMS. Very well.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SIMMONS. Mr. President, I ask that the unfinished business may be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, being the river and harbor bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13811) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BURTON. Mr. President, I understand the Senator from Louisiana [Mr. RANSDELL] desires to proceed at 2 o'clock.

Mr. RANSDELL. I shall be glad to speak at that time, though I will not say definitely just now that I shall do so.

Mr. BURTON. I shall expect to occupy the time until that hour.

Mr. President, since the previous discussion on the river and harbor bill, which came to a temporary close on the 22d of July, an unexpected and startling situation has arisen, a great European war, the frightful consequences of which are likely to be beyond the wildest conjecture. It is not difficult to explain the causes of this conflict. They are somewhat complex, but nevertheless easy of explanation.

In the first place, the maintenance of enormous armaments, the expenditure by the nations of Europe of \$2,000,000,000 a year on armies and navies, and compulsory military service have all stimulated the military spirit. It may have been alleged that all this was preparation for defense, but it is perfectly manifest that with so great armies, with such pride in soldierly qualities, the time would come when some cause of

irritation would bring on a war. It was not anticipated that it would be so widespread or so general as it now appears that it will be, but the most earnest advocates of peace, in pointing out these lavish expenditures for military preparation, have in the last decade foretold that there could be but one result, namely, a great clash which would involve millions of people.

To this cause may be added the overweening ambition of certain sovereigns, who have not yet come to realize that they are not the state. When this fearful contest, with all its bloodshed, is through we may safely anticipate that the people—I may say the common people—who must bear the burdens of this strife, will have the decision as to whether or not nations shall go to war. So, in the midst of the din and the constantly recurring accounts of bloodshed and woe, there is perhaps one ray of gladness. To these occasions for war there may be added racial repulsion, trade rivalries, and pent-up animosities because of grievances between nations.

I can not discern any note of encouragement in the present situation. I can not agree with those who portray benefits to the United States from a material standpoint. No doubt some forms of agricultural production will command higher prices; probably there will be a stimulus given to certain classes of manufacturing, and thus a temporary benefit may be granted to a portion of our population, but that will be more than counterbalanced by the general confusion and demoralization in the operations of trade. But it is not appropriate for us in this time of suffering, spreading over almost all of Europe, to think of any advantage to ourselves in dollars and cents. The calamity is too frightful, the prospective suffering and bloodshed is likely to assume such unprecedented proportions, that the only appropriate attitude for us is one of sorrow and regret that such a situation should have arisen.

I recognize, Mr. President, that the attention of the American people is now absorbed in this war to a degree to which it has never before been attracted by any series of events abroad or perhaps even at home. It is nevertheless our duty as Senators to guard the common weal, to make sure that no cry of urgency or emergency shall cause us to enact hasty or injudicious legislation. It is especially desirable that our appropriations should be characterized by reasonable economy.

In the pinch of the depression which is upon us many a household must experience a disadvantage. Already the great majority of our citizens are realizing the necessity of economy in their private expenditures. It is probable that in the future this will not be merely a judicious policy to pursue in the household, but the dictate of stern necessity, for if any class, agricultural or manufacturing, is benefited by higher prices there will be, on the other hand, far larger numbers who will feel the ill result of the increase of articles of necessity, and very likely there will be added to that an increase in nonemployment. So I say that when we recognize the diminished resources of the people and the necessity for economy in private affairs we should bear in mind the necessity for economy in the control of public expenditures.

Propositions are pending to raise an extra \$100,000,000 by taxation. The necessity for some provision for added revenue can not, perhaps, be denied. In the month which has just passed it is stated that there has been a decrease of \$11,000,000 in the duties levied upon imports into this country. There is every prospect that diminished revenue from customs will appear in still greater degree in the future. So I do not deny that the question of added revenue ought to be considered by Congress. But I can not agree with one reason given as to why Congress must levy additional taxes, namely, that it is necessary to provide funds for river and harbor appropriations on a larger scale, no doubt, and in larger amounts than ever before.

While no opponent of this bill is here to oppose a river and harbor bill which would be beneficial to the whole country, we do maintain that the bill now pending is the climax of waste and injudicious expenditure. We do demand that all of its provisions be carefully scrutinized; that the general policies upon which it is based be examined, and we do ask that no new projects be undertaken unless they have some degree of urgency or at least promise a benefit commensurate with the probable expense.

Mr. SIMMONS. Mr. President—

Mr. BURTON. I think it is possible to say that in the bill before us there are many items, old and new, which will not meet the test of careful examination from the standpoint of national importance or proper regard for the general welfare of the people of the United States.

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. I do.

Mr. SIMMONS. Mr. President, I do not desire to get into an argument with the Senator from Ohio with respect to his statement just made, to the effect that there is a proposition to impose additional taxes, and that those additional taxes are in part to be imposed for the purpose of paying the expenses of a river and harbor bill. If the Senator will permit me to take just a few moments of his time, I will make a very brief statement with respect to his two suggestions, first, that—

Mr. BURTON. Mr. President, let me say before the Senator proceeds that the statement has been given out by one of the leaders of the Democratic Party in the House—a very prominent leader, and the Senator from North Carolina may have noticed his statement—that one of the reasons for additional taxation was the appropriation for rivers and harbors.

Mr. SIMMONS. I do not know what statements have been given out by Members of the other House, but I know there is no justification for the statement that there is a necessity for raising additional revenue on account of the river and harbor bill, any more than there is a necessity for additional revenue to pay the expenses of any department of this Government. The items in the river and harbor bill have been estimated for by the department, just as the items in the legislative, executive, and judicial appropriation bills have been estimated for, just as the items in the Agricultural appropriation bill have been estimated for, and just as the items in the pension bill, in the naval bill, and in the military bill have been estimated for. The expenditures involved in river and harbor legislation are included in the general estimates, just as the appropriations necessary for these other expenditures are included in the general estimates; and the committee has not, so far as I know, in any instance exceeded the estimates. I will not say in any instance; there may be one or two instances in which they exceeded the estimates; but there are other instances in which they did not appropriate to the extent of the estimates, and the one would balance the other, so that the appropriations are not beyond the estimates.

Now, if the ordinary revenues expected from the tariff and internal-revenue impositions had been realized, or if conditions had been such that we might reasonably expect them to be realized, there would be, of course, no deficit on account of the appropriations provided in the river and harbor bill; that is, but for this condition that has been unexpectedly thrust upon the country, the revenues would have been amply sufficient to pay all the expenses of the Government, including the river and harbor bill.

The Senator makes another statement to which I wish to allude, if he will permit me, very briefly. It is to the effect that it is proposed to levy additional taxes upon the people as a result of the European war. That statement is plausible, but it does not express the facts of the situation. We are not proposing to levy additional taxes. We are not proposing to collect out of the people any more money for running the Government than we proposed under our original legislation. What is proposed is to substitute a tax which will yield revenue in present conditions for a tax which would have yielded the same revenue in normal conditions. That is the proposition.

It is estimated that by reason of the curtailment of imports brought about by the European situation there will be a falling off in the revenues from tariff taxes, in round numbers, of \$100,000,000. That is to say, the people of this country, because of this falling off of importations, will pay \$100,000,000 less of taxes than they would have paid if there had not been this curtailment of importations—assuming that the tariff duties are paid by the people of this country and not paid by the foreigner. That is, the Treasury will collect from the people of this country, in the form of tariff taxes, \$100,000,000 less than it would have collected if these conditions in Europe had not developed.

As the result of that, the people of this country are relieved from that tax. As a result of that, the Government does not get that revenue. It is now proposed—and that is all that is proposed—to levy a tax which will be effective in securing revenue to the Government, made necessary by the fact that the tax heretofore levied is ineffective in securing revenues to the Government, because of conditions in foreign countries which we can not possibly control.

Mr. McCUMBER. Mr. President, I should like to ask the Senator from North Carolina a question right there, with the permission of the Senator from Ohio.

Mr. SIMMONS. I am simply interrupting the Senator from Ohio, and I did not desire to get into any argument about it.

Mr. BURTON. While the remarks of the Senator from North Carolina have been rather more extended than I had anticipated, I shall be glad to yield to the Senator from North Dakota.

Mr. SIMMONS. I simply wished to make the suggestion that these were not additional taxes; that they were substitute taxes—taxes to produce revenue which we shall lose by reason of the fact that conditions elsewhere have destroyed that source of revenue, and will bring about a deficit of \$100,000,000.

Mr. McCUMBER. I think I understand the position of the Senator. The Senator means simply that if the Government received \$100,000,000 in duties, then the people paid \$100,000,000 more in taxes by reason of that fact; and now, as the Government will not receive this \$100,000,000 in duties, the people will not pay that \$100,000,000 in taxes. Therefore the goods that will be purchased by the American people will be necessarily purchased for \$100,000,000 less than they would have been purchased for if they had paid out that sum in duties; and we may therefore look, according to the Senator's own argument, for a reduction in the price of commodities which the American people consume to the extent, at least, of \$100,000,000.

Mr. SMITH of Michigan. Mr. President, if I may interrupt the Senator from North Dakota, I should like to put his proposition in another form. If the American people had consumed \$500,000,000 more of products made abroad, and their home production had been diminished accordingly, we would have had revenue to make up the deficit admitted by the Senator from North Carolina. In other words, the essential to receiving money through our customhouses is the essential of consuming European-made goods, and just to that extent depriving our labor of employment.

I think the suggestion ought to be put in that light, as well as in the form suggested by the Senator from North Dakota, because it is incontrovertible.

Mr. SIMMONS. Of course, Mr. President, if we levy a tax upon imports, and there are imports, the foreigner does not pay that tax. I do not think he does. I am quite sure he does not. The American citizen who consumes that product necessarily pays it.

Mr. SMITH of Michigan. We do not admit that.

Mr. SMOOT. Mr. President—

Mr. SIMMONS. If the Senator from Utah will pardon me a minute, if we had normal conditions in this country I am quite certain that there would be a reduction in prices, but, of course, no one can tell what will be the effect upon prices under present conditions. There are two elements outside of the tariff that will affect prices in the situation we have now. One of these elements, of course, is the trust situation that we have in this country. We have not yet succeeded in destroying the trusts; and until we do succeed in destroying the trusts, of course we will have artificial prices, and of course the trusts, like many others engaged in industry, will take advantage of the abnormal situation that has been created by the war to maintain and probably advance the prices of many products that might have been reduced under the operations of the new tariff.

That, however, involves a discussion of the whole tariff question, and I do not desire to get into a discussion of the tariff question. What I do desire to say, and all I desire to say, is this: We have levied a tariff tax—whether that tax was along lines and theories proper, in the opinion of the Senator from Michigan and the Senator from North Dakota and the Senator from Ohio or not—we have levied a tariff tax which, in normal conditions, if this war had not taken place and if the importations had continued to run in the regular channels, would have brought to the Government ample revenue to meet the expenses of the Government, as estimated by the several departments, including the river and harbor bill. Now, whatever I may think or the Senators on the other side may think with regard to the tariff duties that we imposed in order to yield this revenue, the fact must be admitted that in the present conditions those tariff duties can not bring the revenue anticipated.

Mr. GALLINGER. But, Mr. President—

Mr. SIMMONS. The Treasury will not get under present conditions the revenue these duties would have yielded.

Mr. GALLINGER. A different class of people will pay it.

Mr. SIMMONS. Let us leave out the question of the tariff, because, as I said, it was not my purpose to raise the tariff question. Leaving out that question, the situation is this: Of course we can not absolutely state what is going to be the income from a tax until the period of taxation has expired, but in all probability the Government would have received through the various channels of taxation the amount of money that it estimated would be received, and in all probability, through tariff taxation, we would have had in the Treasury of the United States \$100,000,000 more at the end of the fiscal year than we will have under present conditions.

Mr. GALLINGER. Mr. President—

Mr. SIMMONS. The people having been relieved from that burden of taxation, that method of taxation having failed us, it is now proposed to levy a substitute tax to supply the loss arising from the failure of the tariff to produce the results anticipated and calculated and estimated, because of the sudden and unexpected curtailment of imports.

Mr. GALLINGER. Mr. President, will the Senator from North Carolina give us an intimation as to what line of taxation will be imposed upon the American people to make up this \$100,000,000?

Mr. SIMMONS. Oh, I could not do that, Mr. President. The bill has to originate in the House. I can not tell what the House will do, and when the House acts I can not tell what the Senate will do.

Mr. GALLINGER. If the American people are saving \$100,000,000 because of—

Mr. SIMMONS. But I know this, if the Senator will permit me—that we shall have to levy a tax which will supply the loss of revenue caused by the conditions that have been created by the war in Europe, and this situation suggests that it should be an internal-revenue tax instead of a customs tax.

Mr. GALLINGER. I was about to remark that if the American people are saving \$100,000,000, they are purchasing American goods in place of foreign goods, so it is doing something for the American people; and it must be remembered that that \$100,000,000 is composed largely of luxuries which the rich buy, while a tax such as has been suggested—

Mr. SIMMONS. Oh, Mr. President—

Mr. GALLINGER. If the Senator will allow me to finish the sentence—

Mr. SIMMONS. Oh, certainly.

Mr. GALLINGER. He has interrupted me twice.

Mr. SIMMONS. The Senator will pardon me for interrupting him.

Mr. GALLINGER. If a tax is imposed such as has been suggested in certain quarters, it will be levied largely upon the industrial people of the country and the industries of the country. I doubt not the hundred millions will have to be raised in some way; but I think the Senator is arguing from false premises when he undertakes to say that it is simply to replace the loss of money that has occurred because of the European war.

Mr. SIMMONS. The Senator is dealing in speculation when he talks about the subjects on which we propose to impose this tax. I do not know, and he does not know. I am not going to discuss the tariff question.

Mr. GALLINGER. But the Senator did discuss it. That is the difficulty.

Mr. SIMMONS. I did not.

Mr. GALLINGER. The Senator precipitated the discussion.

Mr. SIMMONS. Oh, I beg the Senator's pardon. I have not intended to do that, and if I have done that it was far from my purpose. I simply wanted to answer the argument of the Senator from Ohio that we were obliged to levy this additional tax to meet the expenditures for river and harbor improvements, and that it was an additional tax as opposed to the idea of a substitute tax.

Mr. SMOOT and Mr. KENYON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Ohio yield, and to whom?

Mr. BURTON. I yield first to the Senator from Utah.

Mr. SMOOT. Mr. President, I take issue with the Senator from North Carolina where he says we are going to fall short \$100,000,000 in our customs receipts for the coming fiscal year. I do not believe that will be the case.

Mr. SIMMONS. Will the Senator pardon me? I do not know anything about that. I am simply stating what I understood the Secretary of the Treasury had stated. I do not know what amount it will fall short. I suppose that will be discussed in the other branch and probably it may be discussed by the President in his message to-morrow. I do not know anything about it.

Mr. SMOOT. I did not want the statement of the Senator to go to the country uncontradicted that the customs revenues for the present year will fall short \$100,000,000. It no doubt is true, Mr. President, that the expenses of the Government will exceed the revenues of the Government under present laws \$100,000,000 for this fiscal year. I do not doubt that for a minute. But that will not be due entirely to the falling off of our customs duties.

Mr. President, at the beginning of this session of Congress, in a discussion had upon the extravagant appropriations being made for this fiscal year, I made the prediction that the appropriations for this fiscal year would amount to \$100,000,000 more than they amounted to under the last Republican Congress. The junior Senator from North Carolina took me to task for

the prediction, and asked me by what authority I made it. I told him I made it upon my own authority, and none other. The Senator disagreed with me, and expressed the opinion I would have to apologize to the United States Senate for that statement when the final report of appropriations was completed.

Mr. President, I now want to call attention to the fact that the appropriations for the last fiscal year under a Republican administration, that being but two years ago, amounted to \$1,019,412,710. This is the appropriation the Republican Party was denounced so bitterly for in the last Democratic platform as profligate waste and oppressive taxation. The first year under the Democratic administration the appropriations amounted to \$1,098,678,788, and up to the present time in this fiscal year they amounted to a little over \$1,100,000,000, and the end is not yet.

Mr. KENYON. Mr. President—

Mr. BURTON. I yield to the Senator from Iowa.

Mr. KENYON. I should like to ask if this covers the amount claimed and estimated for the river and harbor bill.

Mr. SMOOT. It does not.

Mr. KENYON. Does it cover the Alaska railroads?

Mr. SMOOT. It covers the Alaska railroad appropriation, but it does not cover the over-sea insurance appropriation of \$5,200,000. It does not cover the southern war claims bills that are expected to pass at this session of Congress. It does not cover the river and harbor bill, carrying \$53,000,000 direct appropriation, with an additional \$40,000,000 future obligations. It does not cover the appropriation of \$12,600,000 expected to be made for the purchase of ships in connection with other parties to become a part of a merchant marine.

I want to say to the Senate now that before this session is over the appropriations for the fiscal year ending June 30, 1915, will amount to more than \$100,000,000 over the sum appropriated in the last Republican Congress for the fiscal year ending June 30, 1913, and I think instead of my apologizing to the Senate for the statement I made in the beginning of this session an apology ought to come from the other side of the Chamber.

Mr. KENYON. So, as I understand the Senator, the appropriations for the fiscal year ending June 30, 1915, will be close to \$1,200,000,000.

Mr. SMOOT. Nearly that. Of course I can not state the amount exactly, but it will be between \$1,180,000,000 and \$1,200,000,000.

Mr. KENYON. That is, including the \$53,000,000 in the river and harbor bill?

Mr. SMOOT. Including the river and harbor bill.

Mr. KENYON. Will the Senator, in this connection, permit me to read a plank in the Democratic platform for 1912?

Mr. BURTON. Mr. President—

Mr. KENYON. I do not want to delay the Senator from Ohio, but—

Mr. BURTON. I did not expect these interruptions to last quite so long.

Mr. KENYON. Let me put this plank in.

Mr. BURTON. I shall have to ask, however, that a limit be placed on these interruptions.

Mr. KENYON. We are awaiting an opportunity to place a limit on the appropriations. If the Senator from Utah will permit me, I want to read the plank. It would seem appropriate in connection with his remarks.

Mr. SMOOT. Certainly.

Mr. KENYON (reading):

We denounce the profligate waste of the money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses, which have kept taxes high and reduced the purchasing power of the people's toil. We demand a return to that simplicity and economy which befits a democratic government and a reduction in the number of useless offices, the salaries of which drain the substance of the people.

So I judge, from the Senator's remarks, that this plank in the platform is being broken.

Mr. SMOOT. That is only one of about a dozen planks in the platform that has been repudiated and violated.

Mr. SMITH of Michigan. I think perhaps the real authors of that very wise provision of the Baltimore platform were honest and patriotic in giving an expression of their opinion, but they have had no influence in curtailing appropriations in this Chamber, although several of them were members of the convention and one or two now honor us with their presence.

Mr. KERN. I should like to ask the Senator from Michigan a question before he takes his seat. It is whether or not he is in favor of the appropriation provided for in the river and harbor bill?

Mr. SMITH of Michigan. I will answer the Senator from Indiana. If I had had any influence whatever on the course of proceedings during the past year or two in this Chamber I would not have presented the American Sugar Refining Co. with approximately \$50,000,000 in remitted duties as a free gift and reimposed the amount which I had presented to them upon smaller business. I would not have repealed many of the provisions of previous laws which would have retarded the importation of foreign-made goods but would have created a home market for our domestic production, and if foreign goods were to come in they would have to come in over a wall of protection which for more than half a century has kept our people employed at good wages and made the American market place the envy of the people of other lands.

Mr. KERN. Mr. President—

Mr. SMITH of Michigan. The Senator asks me if the pending bill comes within the range of my criticism. I think he is entitled to an answer. The pending bill is the result of years of preliminary work in important river and harbor improvements throughout the country. There has not been a semblance of partisanship in it. Men upon that side of the Chamber have been as persistent as have those upon this side in obtaining appropriations for their various communities. Harbors have been made available for the larger vessels of commerce and trade. Rivers have been opened to navigation.

I have no apology whatever to make for the wise expenditures which for the last decade and a half have largely been the result of the genius and the persistence and the large experience of the distinguished Senator from Ohio who now occupies the floor.

Mr. KERN. I understand, then, that the Senator is in favor of the present river and harbor bill.

Mr. SMITH of Michigan. Yes; and I ask unanimous consent that we may vote upon it at 4 o'clock this afternoon.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. BURTON. Is that a request such as that there has to be a call of the roll?

The VICE PRESIDENT. The Chair supposes that the Senator from Michigan made the request in good faith.

Mr. SMITH of Michigan. I did make it in good faith. My hope, however, is not as great as my desire. I would not want to take advantage of the courtesy of the Senator from Ohio and take him off his feet in that way. I withdraw the request and will prefer it later in the day.

Mr. BORAH. Mr. President—

Mr. BURTON. I yielded for a question, Mr. President, and this discussion, though it has been very profitable, has taken a very wide range. I really do not want to shut off any of my colleagues, but before very long I shall have to insist on resuming the floor.

Mr. BORAH. I wish to read another plank from the Baltimore platform, which I think is very pertinent at this time. We have digressed a little from the real subject at issue, but this is the living issue, and I want to read concerning it:

We favor a single presidential term, and to that end urge the adoption of an amendment to the Constitution making the President of the United States ineligible for reelection, and we pledge the candidate of this convention to this principle.

Mr. SMOOT. Mr. President, I must apologize to the Senator from Ohio for taking so much of his time, but I felt that it would not be proper to allow the statement made by the Senator from North Carolina to go without some answer to it.

Mr. President, I expect there will be a shortage in the revenues for this year, as I said before. I expect that the income tax this coming fiscal year will fall short perhaps \$20,000,000. I do not believe that the incomes of the people of the country are going to be as great as they have been in the past, and this will be brought about from a number of causes. I recognize the unsettled conditions not only in the rest of the world but in this country as well, brought about by the wicked and unjustifiable war existing in Europe to-day. I recognize that we have got to raise more revenue to run the Government, even if there was no war, if Congress keeps on making such extravagant and unjustifiable appropriations as it has made at this session of Congress. You have created commission after commission. You have added thousands of employees to the pay rolls of the Government, distributed in every department. This profligate waste has been called to the attention of those responsible for the appropriation bills time and time again. There are those who think there is no limit to the ability of our Government to appropriate money.

I say, Mr. President, there will come a time when even the Democratic Congress will have to figure upon what the national income is and what the national expenses will be.

Mr. GALLINGER. In reference to those additions to the officials of the Government which number very many hundred, the Senator will remember that that is one of the things which was condemned by the economy plank of the Baltimore convention.

Mr. SMOOT. Absolutely, Mr. President; and I thought, of course, we were going to have a partial endeavor to bring about economy in the administration of the Government. I do not believe there is a living man who believes there has been even an attempt to bring it about. It has been altogether the other way—extravagance everywhere, in every department. If we do not pass a river and harbor bill, if we cut out all the appropriations that are yet to be made, we then would have greater appropriations for this fiscal year than have ever been made for a fiscal year by any Republican Congress.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. I will yield to the Senator from North Carolina. I do not like to refuse in any case, though I trust these interruptions may soon be brought to an end.

Mr. SIMMONS. I wish to say merely a word.

Mr. OVERMAN. I wish to say to my colleague before he begins that the predictions we now hear are like some of the predictions that were made about the tariff. When we make up the balance sheet we will then see whether they are true or not.

Mr. SMITH of Michigan. There will not be any balance sheet.

Mr. OVERMAN. But on the tariff we had the same predictions made.

Mr. SIMMONS. Mr. President, I am told by one of my colleagues that inadvertently in the statement I made a while ago I said that independently of the war, in order to get needed revenue, we would have had to impose additional taxes. I meant to say that, independently of the war, there would have been no necessity to raise any additional revenue or to impose any taxes in addition to those imposed in the tariff bill.

Of course, Mr. President, there will be some additional expense growing out of these extraordinary conditions that we are in. The Senator from Utah has referred to the fact that the war-risk insurance measure provides for an appropriation of \$5,000,000 to pay the expense. That is true, but the Senator overlooks the fact that the Government is not going into the insurance business. As a matter of fact, it expects to charge for the insurance, and it is expected that the premiums will pay the losses and expenses.

The Senator referred to the fact that we are appropriating \$10,000,000 for the stock the Government is to take in the new corporation for the purpose of buying ships. That is an operating fund. The ships are to be bought and put in the business of ocean carriers, and it is reasonable to suppose that they will pay their operating expenses, and that there will be no burden upon the Treasury.

As I said, there will be some additional expense, but I myself am satisfied that but for the war the taxes that we laid in the tariff act of 1913 would be amply sufficient to pay the appropriations that we have made and that we will make, including the river and harbor bill. It was predicted when we passed that act that there would be a deficit as the result. On the contrary, when the books, if I may use the phrase of my colleague, were cast up it was ascertained that that measure, instead of resulting in a deficit in the Treasury, has resulted in a surplus of \$33,000,000 at the end of the year.

Mr. SMOOT. Not taking the canal expenditures into consideration.

Mr. SIMMONS. The canal expenses have not been considered a part of the current expenses of the Government.

Mr. SMOOT. They have in the past.

Mr. SIMMONS. By the Panama Canal act we provided for bonds to pay the expenses of the construction of the canal. When the current revenues, after meeting other expenditures, have been sufficient to meet the cost of this construction without selling bonds we have, uniformly, I think, paid these expenses out of the Treasury without selling any of these bonds, the bonds being held in the Treasury subject to sale to reimburse the Treasury for the amount so expended. We did not offer any of these bonds for sale last year because we had a surplus equal to the expenditure for constructing the canal.

Mr. President, I say again that in the general estimates—and we are working upon those estimates—the river and harbor bill was included, and there has not been a doubt on the part of those at the head of the financial department of the Government that but for the war the tariff act would have afforded ample revenue to meet all the estimated expenditures, including the river and harbor bill.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. BURTON. Yes. I must say, however, if it is necessary that an answer shall be made, it will be the last time I shall consent to yield.

Mr. NORRIS. I wish to propound a question to the Senator from North Carolina, but I can do that later on in my own time.

Mr. BURTON. I do not wish to shut off the Senator. The Senator from Nebraska rose some time ago.

Mr. SIMMONS. Mr. President, I do not wish to interfere with the Senator from Ohio, but I do not think Senators ought to inject into a discussion of the river and harbor bill a partisan question.

Mr. NORRIS. I wanted to ask the Senator from North Carolina a question, and for the purpose of the question I am assuming that everything the Senator from North Carolina said is correct. I wanted to ask him when special legislation is necessary for the purpose of raising increased revenue will not the amount that must be raised by such legislation depend upon the appropriations of Congress?

Mr. SIMMONS. The Secretary of the Treasury, as I am informed, has made his estimate, and I assume that he anticipated the ordinary appropriations. He estimates that \$100,000,000 will be sufficient.

Mr. NORRIS. I am not disputing that. I am assuming that that is correct.

Mr. SIMMONS. He has made his estimate, and I understand he has estimated that within the course of the year we will probably have a falling off in the revenues that will reach \$100,000,000 by reason of the war conditions in Europe.

Mr. NORRIS. I am not disputing that.

Mr. SIMMONS. He is asking for taxes for the purpose of making up that loss in the revenues.

Mr. NORRIS. For the purpose of my question, I am assuming that all that is true; but is there not a relationship between the money that we must raise by the new legislation, whatever it may be, providing for additional taxation and the appropriations of Congress?

Mr. SIMMONS. I will answer the Senator, speaking generally, yes. Necessarily, every tax that is imposed, whether it is a tariff tax or an internal-revenue tax, is imposed with reference to the probable necessities of the Government.

Mr. NORRIS. Exactly.

Mr. SIMMONS. It has been recognized in this country as a principle for many years that to exact from the people more money than is reasonably necessary to pay the expenses of the Government is unjust taxation, and therefore in framing our tariff bill and in framing our internal-revenue tax scheme we always keep in mind, and it is our duty to the people to keep in mind, the probable expenditures of the Government. I answer yes.

Mr. NORRIS. Certainly. That being true, does it not follow that for every dollar of money that we appropriate for the river and harbor bill we must of necessity provide for that much increased revenue when we come to levy through the law to be enacted, whatever it may be?

Mr. SIMMONS. I have stated to the Senator that my understanding is that the river and harbor bill was estimated for and included in the probable expenditures before the European war came on.

Mr. NORRIS. All right.

Mr. SIMMONS. And it is still included among the probable expenditures.

Mr. NORRIS. Exactly; but if you would exclude it from the estimates, and if we defeat this bill, the amount of money necessary to be raised by your special levy would be reduced by just that many dollars; is not that true?

Mr. SIMMONS. Just as if we had not passed the pension bill—

Mr. NORRIS. But we have passed the pension bill.

Mr. SIMMONS. If we had refused to pass the pension bill, we would have to raise that much less money to meet the expenses.

Mr. NORRIS. Exactly; there is no doubt about that.

Mr. SIMMONS. And if we had not passed the bill providing for the expenses of the Agricultural Department we would need that much less money.

Mr. NORRIS. No doubt we should.

Mr. SIMMONS. Will the Senator let me finish? However, would the Senator from Nebraska refuse to pass the pension appropriation bill—

Mr. NORRIS. No; I would not.

Mr. SIMMONS. Would the Senator, for that reason, refuse to pass the bill to provide for the expenses of the Agricultural Department?

Mr. NORRIS. No; I would not.

Mr. SIMMONS. Then I want to say to the Senator that, in my judgment, it is just as important to the business interests of this country, and to the welfare of this country, to pass a proper river and harbor bill to carry on the great work of improving our rivers and our harbors as it is to pass the other appropriation bills to which I have referred.

Mr. NORRIS. I do not dispute that the Senator believes that, but that is all beside the question. It seems to me, although the Senator was not nearly so frank in answering my question as I was in answering his, that it can be deduced even from the Senator's own argument that if we defeat this bill now we shall by the amount of the appropriation in this bill obviate the necessity of raising that many dollars of taxation by special legislation.

Mr. BURTON. Mr. President, the interruption has been considerably longer than I anticipated it would be, and I do not propose to change the tenor of my remarks to meet the arguments and statements that have been made. All that it is necessary to consider in connection with the river and harbor bill are certain conceded facts. Every object of taxation, every dollar wrung from the people—to use a verb taken from the Democratic platform—means an additional burden, a burden that should, if possible, be avoided. There is imposed upon us a solemn duty, as representatives of the people, to scrutinize these appropriations. We have passed the Agricultural appropriation bill; we have passed the pension appropriation bill; we have passed the legislative, executive, and judicial bill; we have passed divers other bills. Is this bill in the same class with the others? While it contains many, in fact, a majority of meritorious items I maintain that it is not.

It has been said that this bill is in accordance with the policy of the people. Mr. President, I see emblazoned on that wall [indicating] the policy that has been adopted in this river and harbor bill.

A PRIMARY LESSON IN WATERWAY IMPROVEMENT.

Another point in general waterway improvement is the fact that it is not always necessary that every waterway should be utilized to its full capacity, or even to any appreciable capacity, in order to justify its existence or its construction and its maintenance.

That means you may waste tens, yes hundreds of millions of dollars on waterways; you can point out the fact that there is no traffic on them and there never will be, but that there is justification for them, because they accomplish benefits in an indirect way. With a railway commission governing all of the interstate railroads of the country and their traffic, with railroad commissions in nearly every State, with shipping associations and commercial bodies alert to complain of any unfair or excessive rates it is, nevertheless, the argument of some that you can spend tens of millions of dollars on waterways, throwing money into their all-devouring maw, in order to compel a few railroads to behave themselves. That is the policy that lies behind many of our river and harbor improvements. It is not the worst feature manifested in them, but it is one that should be given consideration.

I want to say to my good friend from Michigan [Mr. SMITH], when he says that this bill is in pursuance of policies that have been adopted for years, that about the year 1910 there was a very appreciable departure from the policies that had been pursued for 10 years before. As best I could, I entered my protest at that time against such a departure, both in the committee room and on this floor, but I found it utterly ineffective. I do not believe in the policy of appropriating in one bill but a fourth or a tenth or a twentieth of the total amount required to complete a project; I do not believe in what I have so often called this dribbling policy; and I have never been able to find any man who did; but Congress has been continuing this piecemeal method. While hundreds of millions of dollars are required to finish improvements that are now under way in pursuance of legislation in prior bills, we have been adding new projects, sometimes appropriating a thirtieth part of the whole amount required to complete them.

Mr. President, such a system is the very height of absurdity. I repeat that it is time for us to put a stop to it. I have never been able to talk with a man in this body nor with one in the other House who justified this method of appropriating a partial amount; but by some strange inertia, reenforced by the demand of communities and by Members of the other House, and, in some degree, of the Senate, we are going on, always anticipating the future, neglecting to finish what we have commenced, leaving unfinished that to which we have solemnly committed ourselves. Under a policy that will leave many projects unfinished

for 10 or 20 years, here in this bill we are making appropriations that we might just as well admit merely commits the Government to some plan or scheme which, in many cases, is very doubtful.

My friend from Michigan spoke about there being no partisanship in this bill. Mr. President, an experience, not so long as that of many of those around me, but still of considerable duration, stimulates me to an alert and very careful suspicion of measures in which there is no partisanship. I am afraid it would be better if there were partisanship in this bill. What does the absence of partisanship mean? That no Member of this Senate will be refused when he asks an appropriation for river and harbor improvements, while if a Senator opposes him and labors under the delusion that there is a general interest in favor of economy and propriety in public expenditure, which stands in the way of the dredging of some creek or the canalization of some river he is an enemy. There is no partisanship about it. No; but a man who seeks to criticize it must evoke opposition of a nature that it is sometimes difficult to bear.

Again I say, Mr. President, I am not sure that it is a recommendation for this bill when we say there is no partisanship in it. There is too much in it that is personal, that is local, that will not stand the test of national importance, but which is put in here to please this or that interest in the country without that careful scrutiny and criticism which would be made if the party responsible for the conduct of affairs would establish and maintain a proper policy.

Mr. President, I think we ought to carefully examine this bill. Of the general policy I have already spoken. I think it is erroneous. We will never have a proper river and harbor bill until we have the courage to face every one of the items it contains and decide when we adopt a given project that we will provide for the whole amount which may be required for it. We will not pass good laws when we appropriate \$200,000 for an improvement estimated to cost \$5,860,000; there will not be enough attention given to it to determine whether or not it is meritorious.

In the face of the outcry which comes from all over the country that there are men who must be discharged because money is not appropriated to pay them, I say, Mr. President, that the opponents of this bill are not responsible for that situation. For at least four years past we have been pointing out that this method of annual piecemeal appropriations was not the way to proceed, and we have been intimating the possibility of just such a situation as this, where important public work would have to be stopped because a river and harbor bill would not pass. We have been asking, almost pleading that the method be changed, and that we go back to the plan of the bill of 1907, under which, when a great improvement or even a small one was adopted, we would make provision for the whole of it in one bill.

Now, how are you going to stop the present system? How are you going to conform to the opinion, I believe of every Member of the Senate, that the best way to deal with projects of any magnitude is to provide the total amount required for them in the beginning? Mr. President, I am afraid there is only one way, and that is to defeat a river and harbor bill.

I do not say this as any intimation that I think this bill ought to be defeated in its entirety, but it should be pruned and purged. I recognize, of course, that the measure results from an accumulation of erroneous methods and policies which have been in vogue for some four or five years past, and that you can not in one bill reform the whole system.

Talk about policies! Why, the proponents of the bill are seeking to deprive us of arguments against it when they say, "Oh, yes; it is to regulate railroad rates." How can you answer such an absurd argument as that? It means that you can spend \$30,000,000, as proposed in one report, on the Tennessee River, with a diminishing traffic all the while and ultimately a very small quantity of freight, and that such an outlay is a judicious expenditure of public money.

Mr. President, the people who intelligently consider this subject, the great body of the people, are not with that pronouncement which hangs yonder on the wall. It means, if we adopt it, more and more waste, more and more extravagance; it sets forth an utterly false standard of determining what improvements we should make. Waterways, like railways, steam and electric, and auto trucks and wagons are all agencies of transportation, and if any one of them is unprofitable it should give place to another.

I said here a few days ago that Egypt would not be alone in great works of masonry, in its pyramids, the reason for which people could not understand. We are sure to have a multitude of them in our locks and dams, and in years to come the num-

ber which will not be used at all will be greatly increased. Upon them there will be no such inscription as "What is all this worth?" or "What are we here for?" They will simply be a monument to the wastefulness and the folly of Congress in seeking to promote a system of transportation which, save in very exceptional instances, is obsolete and of no value to the people.

Now, Mr. President, I want to call attention to another feature which should be considered in connection with this bill, and that is the balance of river and harbor appropriations that was on hand on the 30th of June last. In a statement transmitted by the Secretary of War, August 3, and printed as Senate Document No. 560, it appears that on the 30th of June last, at the close of the fiscal year, there was an unexpended balance for river and harbor projects then pending amounting to \$45,338,653. Of course, it is true that, just as in previous years, a portion of this will have to be paid out for outstanding liabilities and for uncompleted contracts.

Mr. VARDAMAN. Will the Senator kindly repeat the amount of the unexpended balance?

Mr. BURTON. The unexpended balance on the 30th of June last was \$45,338,653. Now, let us compare that with the amount expended for river and harbor improvements for the two latest years for which we have figures. The figures for 1914 are not yet prepared, and I am informed by members of the Engineer Corps that they may not be ready before the 1st of October. The amount expended for the fiscal year ending June 30, 1912, was \$33,096,476.02 carrying it out to cents, or, say, in round numbers, \$33,000,000. In 1913 it was \$38,308,679.21. That is, there was on hand June 30 last for expenditure in this fiscal year \$7,000,000 more than we spent in the year 1913 and \$12,000,000 more than we spent in the year 1912. Now, that is not all, because in the sundry civil act approved August 1, 1914, there was appropriated a further amount of \$6,988,500, making the surplus over expenditures in the maximum year now available \$14,000,000, and over the preceding year \$19,000,000.

Now, what is the explanation?

Mr. TOWNSEND. Mr. President, may I ask the Senator whether that amount of money on hand can be used during the coming year, or must it be reappropriated?

Mr. BURTON. It can be used. It is subject to the warrant of the officers of the Engineer Corps.

Mr. TOWNSEND. And it does not require reappropriation?

Mr. BURTON. No reappropriation whatever. It is true there is a sum amounting, perhaps, to \$4,000,000 that is tied up by conditions. That is, improvements will be made at Providence, R. I., if they comply with certain conditions. Improvements will be made at New Bedford, Mass., upon certain conditions. Compliance with these, however, is comparatively easy, and I do not see why those communities do not conform to them and thereby make this money available. The amounts so tied up are in any event less, as the Senator from Michigan may see, than the amount appropriated in the sundry civil bill, and these amounts detained for the fulfillment of conditions are liable to be available for use any day. They are, like all the rest, in the Treasury.

Mr. KENYON. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. I do.

Mr. KENYON. I should like to get that clear in my mind. I have heard the proposition disputed which the Senator from Ohio now advances as to the use of this money without some further action by Congress. Take, for instance, the lower Mississippi. Could a portion of this money be used on the lower Mississippi?

Mr. BURTON. Oh, no; it could not be transferred from one project to another. I am coming to that.

Mr. KENYON. That is the point.

Mr. BURTON. Of course this balance is divided in a way that is unsymmetrical. In some cases there is very much more than is required. These appropriations are by projects. Let that be thoroughly understood.

Mr. KENYON. Could not that be transferred by resolution?

Mr. BURTON. It could, but it would require careful action by the committee on the subject.

Mr. SMITH of Michigan. That is, any balance that has not been expended. A large proportion of this money has been expended since the report in carrying on the work this summer.

Mr. BURTON. Well, something; yes.

Mr. RANDELL. Mr. President, will the Senator yield to me for a moment?

Mr. BURTON. Certainly.

Mr. RANDELL. I understood the Senator to say that this money could be transferred from one project to another by a

resolution. Surely the Senator does not mean that that could be done except by act of Congress?

Mr. BURTON. Certainly; by joint resolution of Congress.

Mr. RANDELL. It would take an act of Congress to do it, however.

Mr. BURTON. Yes.

Mr. RANDELL. It would amount to a separate river and harbor bill, would it not?

Mr. BURTON. Well, a part of this river and harbor bill.

Mr. RANDELL. It could be done in this river and harbor bill, but the Engineer Corps would have no power to transfer this money from one project to another.

Mr. BURTON. No.

Mr. RANDELL. It would have to come regularly before Congress and be acted upon by Congress before it could be done, would it not?

Mr. BURTON. Yes. However, it throws a flood of light upon the inequality with which these improvements are being prosecuted and the appropriation in times past of absolutely unnecessary amounts for these improvements.

Let me say a word about such a joint resolution. It ought to provide that in the case of projects where there is an unnecessary balance—an amount sufficient to carry on the work to June 30, 1915, and also for the making of contracts such as have been authorized—there should be a deduction for these purposes and only the surplus expended.

I gave an illustration here a few days ago that shows the condition. There is \$6,700,000 on hand to the credit of the Ambrose Channel and the general channel leading to New York. One hundred thousand dollars is all that is wanted for that purpose.

Mr. SMITH of Michigan. That is, for present needs?

Mr. BURTON. Until the 30th of June next that probably would be ample; and I could go through this list which is before the Members of the Senate and pick out a number of others.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. I do.

Mr. SIMMONS. I wish to call the Senator's attention to the fact that the same document from which he read a little while ago, giving the unexpended balance in the Treasury for river and harbor work—\$45,000,000, in round figures—shows that as against it there are outstanding liabilities of \$3,865,000. It appears from the same document that there is \$23,000,000 of that money that is for uncompleted contracts—that is, contracts that have been authorized by Congress. The contracts have been made, and the money has not yet been paid out.

Mr. BURTON. I was coming to that.

Mr. SIMMONS. Pardon me just a moment.

Mr. BURTON. Certainly.

Mr. SIMMONS. So that it leaves an available balance in the Treasury of \$22,638,000.

The Senator has referred to the unexpended balance that was in the Treasury the year before. That was a very considerable amount; not quite so great, probably, as the unexpended balance—

Mr. BURTON. I do not think I referred to the unexpended balances in prior years.

Mr. SIMMONS. I thought the Senator did.

Mr. BURTON. I referred to the amounts expended in the fiscal years.

Mr. SIMMONS. Then I will ask the Senator if it is not a fact that when we prepare these river and harbor bills nearly every item shows that there is to the credit of that item an unexpended balance, and if that unexpended balance is not to carry on the work during the balance of the fiscal year?

Mr. SMITH of Michigan. And in the Treasury.

Mr. SIMMONS. It is in the Treasury, but it is being spent every day upon the warrant of the proper officials. I think if the Senator would examine former bills he would find that at the time of their passage there was, as there was at the time of the passage of this bill by the House, a very large unexpended balance in the Treasury representing liabilities, representing uncompleted contracts, and representing balances available.

The Senator referred just a minute ago to the appropriations carried in the sundry civil bill, and the inference might be drawn from the Senator's statement that that was an appropriation of money in addition to the appropriations and authorizations in the river and harbor bill. As a matter of fact, I wish to ask the Senator if the appropriations carried in the sundry civil bill are not merely appropriations authorized under authorizations already made?

Mr. BURTON. Answering that, I will say that there are two branches to the question. Yes; they are to pay for work as it is performed during the fiscal year, the estimate being that certain amounts will be required to pay for work done by contractors up to the 30th of June, 1915, on work theretofore authorized. Answering the second branch, it is just as much an appropriation for river and harbor work as the appropriation in the river and harbor bill, because it is for pending work, for improvements which are made in rivers and harbors.

Mr. SIMMONS. But the Senator does not catch my point. When we make authorizations, as we do in this bill, to the extent of \$10,000,000, we do not in the river and harbor bill appropriate any money at all to meet those authorizations.

Mr. BURTON. Certainly not.

Mr. SIMMONS. The Government makes a contract. Now, we do not provide for those payments in the next river and harbor bill. Those authorizations are paid through appropriations made in the sundry civil bill, so that the \$7,000,000 appropriated in the sundry civil bill was to meet authorizations made in a former river and harbor bill.

Mr. BURTON. Exactly so.

Mr. SIMMONS. We do not initiate appropriations for rivers and harbors in the sundry civil bill. We make them in response to an authorization made in a river and harbor bill.

Mr. BURTON. Certainly; but the point is that that amount is expended for river and harbor work during this year, and the whole substance of my comparison was with expenditures in prior years—\$23,000,000 in 1912, \$38,000,000 in 1913, and here we have on hand \$45,000,000, and the amount appropriated in the sundry civil bill of approximately \$7,000,000 besides.

At the beginning of every year, then, the same condition existed that has been detailed by the Senator from North Carolina. There were balances due, there were uncompleted contracts; but when all was paid on those uncompleted contracts and on those balances due, the total amount fell short by \$7,000,000 of the amount which we now have on hand.

I do not mean to say that that meets the situation, or that it dispenses with the necessity for a river and harbor bill. It does, in part; but what is more, it discloses a situation that should receive the attention of Congress—that unnecessary balances have been accumulated in so large a degree that they ought to be lopped off; that we ought not to go on here appropriating larger and larger amounts, when there is so considerable an amount in the Treasury awaiting the warrant of the officers of the Engineer Corps for its payment.

Mr. SMITH of Michigan. Mr. President, if the Senator from Ohio will permit me to call his attention to a specific case, take Toledo Harbor. The amounts heretofore spent were \$3,045,000, in round numbers. The balance available on June 30, 1913, was \$142,893. Has the Senator anything to show the amount to the credit of that project on June 30 of this year?

Mr. BURTON. Seventy-three thousand four hundred and forty-five dollars.

Mr. SMITH of Michigan. The amount carried by the bill is \$135,000.

Mr. BURTON. Is it as much as that?

Mr. SMITH of Michigan. Yes. That, however, is only a fair proportion of all the other Ohio items.

Mr. BURTON. Well, I do not know. I think that is the largest, so far as maintenance is concerned. No; there is one that is larger. Cleveland is larger—\$200,000.

Mr. SMITH of Michigan. Does the Senator think it is prudent to leave Toledo Harbor with an available appropriation of \$12,000 this year?

Mr. BURTON. No; I do not. I presume they could get along. For instance, there is an appropriation for my own harbor, which is one of the 10 most important in its tonnage of any in the country.

Mr. SMITH of Michigan. Very important.

Mr. BURTON. There is a recommendation of \$200,000. I have no doubt that could be diminished quite materially; perhaps not cut in two, but at any rate decreased by a quarter or more.

Mr. SMITH of Michigan. On June 30, 1913, there was an available balance of \$559,000 in the Cleveland Harbor appropriation. Can the Senator tell us what the available balance was on the 30th of June, 1914?

Mr. BURTON. Four hundred and six thousand seven hundred and sixty-nine dollars.

Mr. SMITH of Michigan. The appropriation carried in the bill is \$200,000.

Mr. BURTON. That is, however, for a rather different purpose than that to which it is intended to devote the \$400,769.

Mr. SMITH of Michigan. Yes; but—

Mr. BURTON. Just let me finish that. A large part of that is for the completion of a breakwater improvement, while the \$200,000, as I understand, is for the purpose of maintenance.

Mr. SMITH of Michigan. I am not finding any fault with either the available balance, that it is too large, or with the appropriation, because that is a very important harbor; and Toledo is important. It is important to Toledo and to that part of Ohio, but there would not have been a dollar carried in the present river and harbor bill in addition to the available appropriation on the 30th of June of this year had it not been for the recommendation of the Engineer Corps of the Army, after very careful consideration of the subject; and I think I may, with the utmost propriety, exonerate the Senator from Ohio from undertaking to influence this item in any way.

Mr. BURTON. The Senator from Michigan also can lay upon me the credit or discredit of a willingness to have those items materially diminished under the present conditions as they now exist, although they are in my own State and in my own immediate locality.

Mr. SMITH of Michigan. Yes; as they now exist, I think the Senator would be willing to allow some of these items to be cut down.

Mr. BURTON. Let me say what those conditions are. It is now the 3d of September. The season for work on a majority of rivers and harbors comes to a close with the months of the autumn, or perhaps earlier. The days are now shorter. There is probably higher water in many streams, so that work would be difficult. There were widespread rains within the last 10 days which raised the level of many rivers so as to make work embarrassing. The situation now is altogether different from what it was when these recommendations were made.

Mr. SMITH of Michigan. I appreciate that.

Mr. BURTON. Because between now and the passage of another river and harbor bill, which would have to be between now and the 4th of March next, there is only a comparatively short time in which work can be done.

Mr. SMITH of Michigan. Yes; but the Senator from Ohio knows that we must have money in the early spring to do the work that we are unable to do because of the inclemency of the weather or the season in the late fall, and that it can be done with more effect in the early spring than it can be done in the early fall.

Mr. BURTON. Certain classes of work in the way of reparation, perhaps, can, but general construction can not. For instance, there may be in the late fall or early spring a severe storm which will cause congestion at the mouth of a harbor, and dredging is required; but, especially upon rivers, the season for work is suspended, at least the greater share of it, during the winter, and there is only a comparatively short time now in which to finish the work.

Mr. SMITH of Michigan. The argument of the Senator from Ohio a few moments ago, if it was taken by other Senators as it was by myself, was that we could defeat this bill now, and out of the available balance to the credit of these various funds have a larger fund than the bill carried two or three years ago.

Mr. BURTON. The Senator from Michigan, no doubt in view of what I said, may have been justified in forming that inference. I did, however, expressly say that these balances were not a conclusive reason why a river and harbor bill—I am not sure that I used the adjective "conclusive"—should not be passed.

Mr. SMITH of Michigan. I know; but the course—

Mr. BURTON. What is the proper thing for Congress to do with fifty-two odd million dollars on hand?

Mr. SMITH of Michigan. It does not seem to be a question of what the wisdom of Congress has determined. It seems to be wholly a question as to what the Senator from Ohio and two or three other Senators think should be done. If the Senator from Ohio wanted to test the sentiment of the Congress, he would allow the Senate to vote on this bill; but if by the course which he is taking, with some method, I believe, and perhaps a worthy one—he has always moved by worthy methods—this bill is defeated, then in the two items to which I have called his attention—Toledo Harbor and Cleveland—are not left with money enough as a balance of those two funds to properly protect them against the exigencies of the coming season.

Mr. BURTON. Mr. President, I recognize the force of that argument. I think, probably, they could stand a suspension of appropriations for one year a great deal better than the civic sentiment of those cities and the State can stand this river and harbor bill.

Mr. FLETCHER. Bearing on the suggestion that the season for the work is rapidly passing away, I simply want to have it made plain that this bill came from the House to the Senate on the 28th of last March, and that it was reported

from the Committee on Commerce of the Senate June 28. It has not been the fault of the committee or any of the friends of the bill that the bill has not been attended to and the work allowed to proceed.

Mr. BURTON. Nor has it been the fault of the opponents of this bill that a measure shorn of objectionable items was not passed six weeks ago.

Mr. KENYON. Let me suggest that some friends of the bill were away across the water, and it may be if they had been here the bill would have gone along faster. We have not particularly delayed it. There have been other important measures before the Senate. As I understand it, all that we have tried to do is to thoroughly discuss it and hold it up to the country that it may view it. We have not engaged in any filibuster upon the bill.

Mr. SMITH of Michigan. Is it the purpose of the Senator from Iowa to permit the Senate to come to a vote upon this bill?

Mr. KENYON. That question is directed to me, of course.

Mr. SMITH of Michigan. Yes; I direct it to the Senator from Iowa, because I know he will give me a frank answer.

Mr. KENYON. I will absolutely. I could not prevent the Senate from coming to a vote if I wanted to do so. I believe that this is a bad, bad bill.

Mr. SMITH of Michigan. The Senator is not very familiar with its details.

Mr. KENYON. Let me finish. The Senator, I understand, believes that every item in it is correct and proper.

Mr. SMITH of Michigan. I do not believe there is a dishonest or unworthy proposition in the bill. If I did, I would arraign the entire Engineer Corps of the Army, who have nothing in the world to gain by recommending these projects except the welfare of the country, and I am not willing to charge them with any such dereliction.

Mr. KENYON. If the Senator will permit me to answer, does he believe—

Mr. SMITH of Michigan. I beg the Senator's pardon.

Mr. KENYON. Does the Senator believe that every item in the bill as it came from the House was a proper item for the Senate to pass?

Mr. SMITH of Michigan. Now, let us see. I do not believe there has ever been, since I have been connected with the Government, a river and harbor bill that I would not have changed in many respects. I say that with reference to bills that were presented before the machinery had been created to more systematically and effectively deal with matters of this kind. I was a member of the National Waterways Commission, presided over by the distinguished Senator from Ohio, and we made, as a result of our inquiries, largely his inquiries, and very far-reaching and intelligent, certain recommendations which required participation by communities in the expense of improvements of this character.

I have never been wholly satisfied with the river and harbor bills that have been brought in either by the Committee on Rivers and Harbors of the House or the Committee on Commerce of the Senate. I have never been able to secure appropriations for improvements in my own State that I thought were commensurate with the State's necessities, and there never has been a bill since I have been here, in 20 years, that was not open to fair criticism.

Now, if I had had my own way in dealing with the present bill, I would have cut down many of the items provided for in the House bill.

Mr. KENYON. I may have misunderstood the Senator, but—

Mr. SMITH of Michigan. But I do not think there is a single item in this bill that has been put in through any method that was not highly creditable; and if there is anybody who has offended against the regulations of the Committee on Commerce, I think I have been the offender, because about the only item in this bill that the Engineer Corps have not recommended is one which I insisted should go in. It carries an appropriation of \$25,000 to complete a harbor project on the east shore of Lake Michigan, which I know to be meritorious, and where the money has been and is being expended most advantageously and economically. Therefore, with this preliminary—

Mr. KENYON. With the preliminary will the Senator answer the question?

Mr. SMITH of Michigan. I do say to the Senator from Iowa that I consider this a good bill.

Mr. KENYON. That is rather evasive, I think.

Mr. SMITH of Michigan. And I think I can assume, without any compunctions of conscience whatever, the responsibility of voting to pass it.

Mr. KENYON. The Senator stated as a fact some time ago, at the beginning of summer, in substance that every item in the

bill was right and should be passed and that not an item should go out of the bill.

Mr. SMITH of Michigan. Yes.

Mr. KENYON. So I suppose he still stands by that.

Mr. SMITH of Michigan. To have said otherwise would have been to impugn the work of the Engineer Corps, who have recommended it, except the one item I referred to, and I still stand by the statement.

Mr. KENYON. I understand the Senator from Michigan answers in the affirmative my question as to whether he stands for and believes in all the propositions in the bill as it came from the House.

Mr. SMITH of Michigan. No; I do not approve all of them as it came from the House, because we worked for weeks in the committee of the Senate, and we had the advice of the distinguished Senator from Ohio and other experts in this field.

Mr. BURTON. For only a part of the time.

Mr. SMITH of Michigan. For a part of the time in changing the House bill. We made some changes, some desirable changes.

Mr. KENYON. The Senator believes those were desirable changes?

Mr. SMITH of Michigan. I do, and I think there might be some desirable changes made now, but I think the man who takes the responsibility upon his shoulders of arresting the river and harbor work now in progress, and which is provided for in this bill, assumes a responsibility to the commercial interests of this country which is a very great burden for him to bear. I know the Senator from Iowa—

Mr. KENYON. If the Senator will permit me to answer—

Mr. SMITH of Michigan. I know the Senator from Iowa is perfectly willing to take his share of the responsibility.

Mr. KENYON. I would enjoy taking the responsibility if I could defeat it, but I can not do it. I realize that.

Mr. SMITH of Michigan. Then it is the Senator's purpose to defeat the bill, if he can?

Mr. KENYON. The Senator asked me that question some time ago and I have tried to get an opportunity to answer it. It is not my purpose to defeat the bill. It can not be defeated, there are so many interested in the bill in the different States and in the different congressional districts. That is the very iniquity of the bill, because there are more men in this Chamber and in the House who will vote for the bill than would vote against it. I do not mean it now in any criticism; they are just as honest as I am. But they will vote for it with what they believe are bad items in the bill, because if they do not do that they can not get the items which they believe are right and proper for their States. I have had that proposition in my State. Along the Mississippi River our people are aroused about this matter, and they have criticized me severely, and say, "Pay no attention to the fact that there are, in your judgment, unjustifiable items in the bill, because we get what is right for our State." That is the iniquity the Senator from Ohio pointed out.

Mr. GALLINGER. If the Senator will permit me just one word. The Senator calls attention to the fact that there are so many diverse interests in this bill. Has the Senator taken cognizance of the fact that there is an insidious lobby at work in favor of the bill?

Mr. KENYON. All over the country.

Mr. GALLINGER. I wish the lobby committee would investigate and find out.

Mr. SMITH of Michigan. I do not know of any lobby.

Mr. GALLINGER. The Senator does not read the newspapers, then?

Mr. SMITH of Michigan. But I can not see these pilfering battalions in the newspapers. I should like to see them with my own eyes.

Mr. GALLINGER. The lobby knows that the Senator from Michigan is in favor of this bill and they are not troubling him about it, of course.

Mr. SMITH of Michigan. The lobby must have steered clear of the members of the committee. I do not believe any member of it has pursued the Senator from Ohio any more than he has pursued any other member.

Mr. BURTON. I am compelled to say they have all done what is their right.

Mr. GALLINGER. It is insidious.

Mr. BURTON. Persons of influence from my own State have come to me. I have received letters and telegrams from my own State.

Mr. SMITH of Michigan. Does the Senator mean chambers of commerce?

Mr. BURTON. Yes; business men's leagues, and all that sort of thing. It has been going on for two months.

Mr. GALLINGER. Is there not an organization in Washington in the Southern Building promoting this matter?

Mr. BURTON. I do not know. I notice there is a pretty live press bureau at work.

Mr. SMITH of Michigan. Has it come to a point that a Senator is not willing to be seen by representatives of chambers of commerce and boards of trade and common councils and organizations of business men? Has it come to that point in our affairs?

Mr. GALLINGER. It seemed to have come to that point when the tariff bill was under consideration.

Mr. SMITH of Michigan. But we deplored it, and now we are going to use that same implement to force back the advocates of this bill. It does not terrorize me at all.

Mr. GALLINGER. Of course not.

Mr. SMITH of Michigan. I said before the lobby committee, as I say in the Senate, that from the time I entered Congress until this minute I have been lobbied by everybody who cared to see me about public business, and I have never yet been approached by anybody in any manner to reflect upon my honor or my integrity as a man. I have seen everybody and listened to everybody who had any complaint to make or any petition to deliver, and when the time comes that I climb onto a pedestal, that I close my ears to the pleadings of people in any walk of life, whether they represent a community or individuals, I will go out of this Chamber, because this is no place for a man who arrogates to himself all the wisdom and all the information necessary to decide every question in the most intelligent and patriotic way.

Mr. GALLINGER. Mr. President, if the Senator from Ohio will permit me, nobody that I know of has arrogated all wisdom. I have received communications from all over the country urging me to support this bill, from men I never heard of, from organizations I never heard of. I have reason to believe that there is an organization in this city promoting this bill.

Mr. SMITH of Michigan. For whom?

Mr. GALLINGER. For whom?

Mr. SMITH of Michigan. Yes. What are private individuals going to gain by this measure?

Mr. GALLINGER. If I read the newspapers aright, it is claimed that a great many people are to be thrown out of employment if this bill does not pass.

Mr. SMITH of Michigan. Naturally.

Mr. GALLINGER. Work is to be secured for men. I would like some of it for New England. We need it. So along the line. I say there is an unusual pressure for the passage of this bill by men who, in my judgment, must have some personal interest. I do not know to what extent.

Mr. SMITH of Michigan. Is it a wholesome interest in which their community already shares or is it an individual interest by which the person himself solely profits?

Mr. GALLINGER. I have no doubt that if the streams that ought never to have been improved get a million dollars from the Congress of the United States, and it gives employment to men along the shores of that worthless stream, they have a personal interest in it; and I think I will be able to show in my own time that there are a great many such streams that are proposed to be improved in this bill.

Mr. SMITH of Michigan. Mr. President, the Senator from New Hampshire is a wise man, a well-disposed man, and an able legislator. I am going to ask him whether he would intimate or suggest that one dollar of the money appropriated by these bills and paid out upon the certificate of our engineer officers ever finds its way into the pocket of a purloiner.

Mr. GALLINGER. I never made such a suggestion.

Mr. SMITH of Michigan. If it is expended—

Mr. BURTON. Mr. President, I must decline to yield further.

Mr. SMITH of Michigan. If it is expended honestly—

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Senator from Ohio declines to yield further.

Mr. SMITH of Michigan. The question of the wisdom of the expense is something which Congress as a whole may determine and not a coterie of self-appointed critics.

Mr. BURTON. Mr. President, the Senator from Michigan has stated that he thinks this bill is as good as any that has been considered since he has been a Member of the Senate. Of course, he was not present during the discussions and deliberations. Any river and harbor bill involves an amount of detail that it is almost impossible to master all its features. But that statement impresses me with the necessity of arguing this bill thoroughly before the Senate. There are items here that are legacies from prior years. I do not claim to be free from blame for projects for which the Government of the United States had been appropriating. The House committee, when I was chairman, made mistakes. A different idea prevailed at

that time as to what could be accomplished by inland waterway improvement from that which the intelligent sentiment of the country now sanctions. But I do say that this bill is the climax of injudicious appropriations.

I want to call attention to a few projects briefly and as introductory to a more elaborate consideration hereafter, and as an indication of what we are doing in this bill if it passes. In the first place, I will mention a minor item in the bill. The Red River below Fulton, Ark., to the mouth of the Atchafalaya has a length of about 475 miles. This bill came to the House with no appropriation for that stretch. It had been ridiculed somewhat in the past. I had attacked it myself on the floor of the Senate in the year 1910, and that element which acts as a sort of censor over us, the magazines of the country, had taken up this case and exploited it to some extent. But the Senate has made an appropriation of \$100,000 for that stretch of the stream.

Now, let us see what that appropriation would accomplish. The total traffic for the year ended June 30, 1913, on this portion of the river was 44,967 tons. Included in this there were floated logs, which need no improvement, amounting to 42,540 tons, and lumber, 1,100 tons, which also need no improvement, leaving a balance of miscellaneous freight, made up of grain, hay, etc., of 1,227 tons. For the facilitating of the carriage of that 1,227 tons Congress is asked to appropriate \$100,000.

This is an absurdity. The figures do not differ materially from what they were one, two, three, four, and five years ago. There was a time when there was traffic on this stream. Now it has practically disappeared. The floating of logs and lumber is practically all that is left on that waterway, which in the days of the Civil War and after assumed some prominence as an agency of transportation. The amount expended during the year ending June 30, 1913, was \$86,938, or more than \$70 a ton, and it is now proposed that we appropriate \$80 for every ton of freight that would be aided by this improvement.

Mr. President, is the Senate ready to stand up against the censure and obloquy that will be incurred by including this kind of an item in this bill?

There is another part of the river that is worse than that, and that is the upper portion—290 miles—from Fulton, Ark., to Denison, Tex. There is an appropriation in this bill of \$50,000 for that stretch. The amount of freight for the calendar year of 1912 was 13,832 tons, of which logs floated were 13,250 tons, leaving a balance of 582 tons of miscellaneous freight. The total value of the 13,832 tons was \$45,250.

Mr. CHILTON. Mr. President—

Mr. BURTON. Then it is proposed here to appropriate—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. BURTON. In just a moment. It is proposed to appropriate \$50,000 for this stretch of the stream, which is \$5,000 more than the value of all the traffic that was floated upon it. The proposed appropriation reaches the magnificent, or munificent, total of some \$80 or \$90 a ton carried on this portion of the river. I now am glad to yield to the Senator from West Virginia.

Mr. CHILTON. I should like to ask the Senator whether he is referring to an initial improvement or an improvement which has gone forward? In other words, does the tonnage to which he refers mean a tonnage that has been developed by an appropriation already made by the Government, or has there been no improvement at all upon the river as yet?

Mr. BURTON. In the lower portion of the river \$2,665,000 was expended, according to the last statement that I have in mind, to develop the traffic, and this is the result. The improvement of the lower portion began in the year 1823.

Mr. CHILTON. I want to call the attention of the Senator to the fact that his figures are bound to be misleading as to some rivers as to which I have personal knowledge. Take, for instance, an improvement with which the Senator from Ohio is familiar in my own State—the Kanawha River.

Mr. BURTON. Big or Little?

Mr. CHILTON. The Big Kanawha River. The Little Kanawha River, as the Senator knows, was improved by private capital.

Mr. BURTON. It was taken over by the Government.

Mr. CHILTON. It has been taken over, but the original improvement was by private capital. The improvement upon the Big Kanawha River is a matter as to which I would not have any public or private interest, because that has been completed by the Government. The traffic on that river is no criterion whatever of the great advantage that that expenditure by the Government has been to a great section of that State, for the reason—

Mr. BURTON. When I reach that class of cases I will dwell upon it. Here is a case, however—the lower portion—where the improvement has been under way 86 years. It is not one of the new improvements, such as those to which the Senator from West Virginia refers.

Mr. CHILTON. Is there any railroad traffic that comes in competition with it?

Mr. BURTON. Oh, yes.

Mr. CHILTON. That is the very point I want to impress upon the Senator. I know that the Kanawha River has been a leveler of railroad rates all through that part of the country.

Mr. BURTON. I do not wish to take that subject up at this time. I merely want to go over certain projects. At a later time I intend to dwell on that idea of leveler of railroad rates and see what there is in it.

Mr. RANSDELL. Will the Senator yield to me?

Mr. BURTON. Certainly.

Mr. RANSDELL. I will say in answer to the Senator from West Virginia about railroads being in competition that there are fine lines of railroad on the banks of that river. It is one of the richest valleys in the United States. There is a large population and a great deal of commerce, agricultural products and lumber. The river certainly has a wonderful effect upon the commerce there, although there is not a great deal carried at this time by the river.

Mr. BURTON. I rather think there is not a great deal carried by the river. The statistics show that.

Mr. CHILTON. If the Senator will pardon me, if that be the situation, the figures as to what the traffic on the river is will have no bearing in the world upon the subject, so far as I may be concerned, because I know—

Mr. BURTON. I recognize that the Senator from West Virginia represents one school of thought. Mr. President, I intend somewhat later to dwell on the argument which has so demoralized our river and harbor appropriations, that where there is local pressure for improving a river or building a canal, it does not matter how many millions you waste on it, providing some one can say it regulates railroad rates. When you come to analyze that question thoroughly, it does not regulate railroad rates; they are regulated in another way entirely.

Mr. CHILTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. BURTON. I really am anxious to finish my remarks by 2 o'clock, and this is anticipating a line of argument which I desire to go into at some considerable length. I do not wish to take it up now.

Mr. CHILTON. Will the Senator permit me merely to say that I do not belong to any school of thought on this subject. I am trying to ascertain what is the truth; what are the facts. I am committed to no policy; I am not committed to vote for this bill or to vote against it. I am a student of the subject; and I wish to decide the question as I think may be right and as the facts warrant. I simply interpose the thought I have stated. I do not represent any school of thought; and I would certainly resent from the Senator from Ohio or from anyone else the statement that I had been demoralized. I have not associated with the Senator nor with anyone else here long enough, I think, to be demoralized by any school of thought or by any particular idea as to these questions.

Mr. BURTON. The Senator from West Virginia stated that the fact that no traffic was carried on the river would not influence his opinion at all; in other words, he joins with those who have brought forward the propositions which have caused so much waste and absurdity in our river and harbor appropriations in the past. I shall be very glad to discuss at some future time the question of the propriety of this class of appropriations.

Let us notice a further fact in regard to these two cases. In that portion of the river below Fulton there is a balance on hand of \$42,097; on the portion above Fulton there is a balance on hand of \$64,547; there was expended on this upper portion in 1913, \$33,664.83; in 1914 there was expended \$23,652; showing that there is a balance on hand now of \$7,000 more than was expended on this stretch of the stream for two years. Yet the argument is used that we need additional appropriations to provide for the rivers and harbors of the country. Although the balance on hand exceeds that which was expended for two years, the Congress of the United States is asked, in the face of this balance of \$64,000, to appropriate \$50,000 additional on the Red River between Fulton and Denison, Tex., to take care of 500 or 600 tons of freight valued at less than \$50,000, which you are proposing to expend.

Mr. President, there is another line of appropriations here that I hardly have time to take up before 2 o'clock, but I wish

to dwell upon them somewhat briefly. There has been an agitation supported by a powerful association for the construction of certain intercoastal waterways, extending all the way from Massachusetts to Florida and from Florida along the Gulf to Texas. In other words, as subsidiary to the ocean with its channels, it is proposed to construct inland waterways that are protected from the storms. It is a most ambitious project. The plan is to go ahead wherever there is enough influence anywhere in the United States and to construct links in this enormous waterway. Already there have been constructed quite a number of the smaller ones and one large one, by private capital, known as the Cape Cod Canal, about 7½ miles in length, which very much shortens the distance between Boston and New York, and obviates the necessity of going around Cape Cod.

What is the sensible thing to do in this situation? To go ahead and construct all these waterways, to build them, hit or miss, wherever there is influence enough behind them, or to wait and give the best of those which have already been selected a trial? If there is any one defect in our whole system of river and harbor appropriations, it has been the committal of Congress to plans of improvement that were merely experimental. With object lessons before us, projects which will prove whether a certain method of improvement is desirable, pressure is brought to bear on Congress, and often successfully, to go ahead with a large number of separate experiments and finish them at one fell swoop.

Let me call attention to a few of these proposed improvements and let us see what the magnitude of them is. I will only go as far as North Carolina. First, the Boston and Narragansett Bay section. For that section the estimates vary from \$17,000,000 for a canal 18 feet deep to \$40,000,000 for a canal 25 feet deep. That has not yet been recommended by the Board of Engineers, but I have no doubt that if the Committee on Rivers and Harbors of the other House pass a resolution asking them to reconsider it they certainly will approve it. The engineers are not really to blame for that. They regard that committee and the Committee on Commerce of the Senate as expressing the wishes of the people as to river and harbor improvements, and projects which otherwise they would turn down unanimously receive their approval when there is a legislative demand a second time to examine them.

Next to Narragansett Bay is the Long Island Sound section, which is quite short, but there is recommended a very generous plan for that improvement to cost \$12,322,000. That is the recommendation before this Congress.

Mr. SIMMONS. Mr. President, before the Senator from Ohio enters upon the discussion of the question he has now raised—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. I do.

Mr. SIMMONS. I want to ask him a question with reference to the reports of the Board of Engineers. The Senator stated that if the engineers were asked by a resolution of Congress to reexamine a project they would take that as an indication of a sentiment in Congress in favor of the project and would make a favorable report thereon. I will ask the Senator if it is not a very rare thing that the committee either of the Senate or of the House ask for such a reexamination?

Mr. BURTON. It is rare; but I will show before I get through that some of the very worst projects in this bill came before us under those circumstances, projects which have been turned down by the Board of Engineers, and then when such a resolution is passed they come in here with a favorable report on them.

Mr. SIMMONS. Now, let me say to the Senator that, as acting chairman of the Committee on Commerce, in considering this bill, I do not recall that we passed a resolution of that kind, except in one solitary instance, and that was with reference to a little project in the State of South Carolina in which the senior Senator from that State [Mr. TILLMAN] was profoundly interested. It only involved an expenditure of about \$40,000 for the completion of the project. That is the only resolution of that kind that we have passed at this session; and the Board of Engineers reported against the project and in favor of the appropriation of only the amount as provided in their original report. Their original report provided for an expenditure of \$14,000. The Senator from South Carolina produced evidence that seemed very convincing to many members of the committee that at least \$40,000 would be necessary to make certain improvements which were urgently needed in the interests of commerce. Upon that representation we passed the resolution and asked the Board of Engineers to reexamine the project. They did reexamine it, but adhered to their original report, and turned down the suggestion of the senior Sena-

tor from South Carolina. That is the only instance I recall during this session of Congress in connection with this particular bill.

Mr. BURTON. Mr. President, before I am through, perhaps to-day, I shall give sufficient instances. For example, a report was made condemning a plan for the canalization of the upper Cumberland River; then a resolution was passed by the Committee on Rivers and Harbors asking that there be a reexamination. Forthwith came in a report recommending \$4,500,000 for that improvement. It is contained in this bill, too.

Mr. SIMMONS. When was that resolution passed?

Mr. BURTON. It was passed within the last 18 months, I think.

Mr. SIMMONS. Not in connection with this bill?

Mr. BURTON. Looking forward to the pending bill, and looking forward to it so successfully that it is in the bill with an appropriation to the amount of \$340,000.

Mr. SIMMONS. Certainly it was not after I assumed charge as acting chairman and while we were making up the bill.

Mr. BURTON. I think not.

Mr. SIMMONS. The Senator from Ohio says that the engineers accept the passage of such resolutions as indicating a policy on the part of the committee and through the committee of Congress.

Mr. BURTON. The trouble about that is, if the Senator will excuse me—the Senator has only given one instance, and that a comparatively trivial one—

Mr. SIMMONS. The Senator has given only one instance in this case.

Mr. BURTON. I know of others, but that one occurred to me. I can cite another in a minute. The Sacramento and Feather Rivers, the improvement of which is based upon a resolution passed by the Committee on Rivers and Harbors of the House. There is the comparatively small sum of \$5,860,000 involved.

Mr. SIMMONS. Oh, I thought the Senator's intimation went to the extent of a statement that the Board of Engineers regarded the resolutions of the committee as indicating a policy, and that they were subservient to that indicated policy.

Mr. BURTON. I do not say they are subservient, but I think they will regard it as an intimation of the wish of Congress when that sort of a resolution is passed.

Mr. SIMMONS. Now, I want to ask the Senator one other question with reference to the reports of the Board of Engineers. The Senator has referred frequently to the liberalization of the views of this board in deference to a supposed policy of Congress. I want to ask the Senator if he has with him available data showing the number of surveys that have been ordered and the reports of the board turning down those surveys or approving them, so that we may get the data here as to how many of these projects on which surveys have been authorized have been unfavorably reported upon and how many have been reported upon favorably?

Mr. BURTON. I do not wish to go into that subject at this time, but I will say that there have been quite a proportion of favorable reports, much larger than formerly. I remember an instance in which they reported on 53, out of which number 51 were reported on unfavorably. Take this bill here, with Muddy Creek and Little Muddy Creek, and all the streams that you can search for on the map with a microscope and not find them, is it any wonder that they report against the larger share of them?

Mr. RANDELL. Mr. President—

Mr. BURTON. I yield to the Senator from Louisiana.

Mr. RANDELL. I should like to answer a part, at least, of the question asked by the Senator from North Carolina, the acting chairman of the committee.

Mr. BURTON. As to the proportion?

Mr. RANDELL. As to recent surveys. I have a letter, which I will be glad to hand to the Senator in a moment, from Gen. Dan C. Kingman, Chief of Engineers, stating that of the last 400 surveys ordered by Congress and acted upon by his board, 260 were reported upon adversely and 140 were favorably reported. Out of the 140 he said that about two-thirds were merely modifications of existing projects where the increasing commerce rendered necessary some additional enlargement of the work. Let me repeat that of the 400, 260, or nearly two-thirds, were turned down completely, adversely reported, and 140 were favorably reported.

Mr. BURTON. Mr. President, I am not at all surprised at that. Anyone who has in his vicinity a creek or inlet, a place where ducks can not wade, and who sends a letter here about it, expects to have an item for that creek or inlet included in the bill in order that a survey may be made; and the wonder is that

nine-tenths of them are not reported unfavorably. I call attention to the figures, which I recall very distinctly when I was chairman of the Committee on Rivers and Harbors soon after the organization of this board, when out of 53 cases 51 were adversely reported.

Mr. RANDELL. Does not the Senator admit that whenever a survey is ordered it is done first on the earnest insistence of the community where the stream is located, which thinks the improvement is needed, which has confidence in it, and is willing to spend its time and money in travel and in writing letters for it? Then the Representative in Congress from that community or the Senator from the State advocates it; so that a great many people certainly must have faith in the projected improvement when they go to the trouble of asking for the survey to be made. And surely it is not reasonable to suppose that a distinguished Member of Congress would ask for a survey of a project in which a duck could not wade, unless it be in connection with some such project, for instance, as the great waterway across the State of New York on which \$101,000,000 is now being expended, and in the course of which there are many places where there is no water at all for ducks to wade in and will not be until it is put in there by a real canal.

Mr. BURTON. Mr. President, I do not believe the Senator from Louisiana would altogether wish to fix as the standard of wisdom in legislation the many surveys that appear in our constantly recurring river and harbor bills. It is very evident that in many instances all that is behind them is a letter or telegram from some constituent. I have repeatedly stated that in orders for surveys is to be found the place to begin in the curtailment of unnecessary and extravagant appropriations. We should exercise some scrutiny before we include every project that comes to us in the list of those to be examined by the engineers. Oftentimes it is probable that some one gets an idea that if the creek that goes by his door could be surveyed and improved it might be made navigable to the Panama Canal, and the Representative from the district, without any particular trouble, has the item included in the bill. We ought, however, to exercise some degree of restraint in including them. I am, however, getting clear away from the subject about which I desire to talk. I wish before 2 o'clock to give some further illustrations of injudicious projects.

Mr. RANDELL. Mr. President, the Senator can continue as long as he likes so far as I have any control of the time. I simply want to say, as he has mentioned my name, that I did not pretend to say that we must base our policy for river and harbor improvements upon the orders for surveys. I do say, however, that we must base our policy upon the action of the board of engineers on these surveys, and I do say the very instance I have stated, where, of 400 surveys, the engineers disapproved 260, or nearly two-thirds, shows that the engineers have been extremely conservative, and it seems to me that that fact gives a denial to the inference of the distinguished Senator from Ohio that the engineers will do what Congress wants them to do. Congress in this instance ordered 400 surveys; many Senators and many Representatives were deeply interested in those 400 surveys, and yet the board of engineers refused to approve 260 of them, which was an extremely conservative and perhaps wise action on their part.

Mr. BURTON. Mr. President, in the beginning of this discussion I pointed out the exceptional regard given by the board of engineers to cases in which there was a resolution passed by the Committee on Rivers and Harbors of the House for a reexamination of a project, and likewise the same deference would naturally be paid to a resolution passed by the Senate Committee on Commerce, although such resolutions passed by that committee have been very few in number.

This discussion has taken a very much wider range than I anticipated, in that reference is made to all kinds of surveys. It is perfectly evident that many creeks and inlets and ambitious plans for canals are included in the river and harbor bill, where they are barely worthy of any consideration whatever, and it is not at all surprising that two-thirds of those have been turned down in recent years, while the fact is that in earlier years, where more scrutiny was exercised in passing upon items to be included in the list, the proportion was even larger.

Now, I want to give, if I have the time, a few illustrations of proposed inland waterways to which I was referring when interrupted.

The next item to which I desire to call attention is the one for the New York Bay and Delaware River section. The estimated cost of an 18-foot waterway between Bordentown and Trenton is \$45,000,000.

The next one is the Delaware River and Chesapeake Bay section, where the estimate for a 12-foot canal is \$8,000,000. Then there is the Norfolk-Beaufort Inlet section, where there is an estimate for a channel 12 feet in depth at an estimated cost of \$4,901,580, with \$500,000 expended for the Albemarle & Chesapeake Canal. Congress, by an act passed a couple of years ago, committed itself to the last-named project, and I wish to dwell on it for a few moments.

Now, you will note that there are here for inland waterways reaching as far as North Carolina estimates to the amount of \$120,000,000. No man can tell whether one of them will prove a success. We have had reports of the engineers upon them in which, while they show that sanguine disposition that characterizes the communities and to an extent that of some of the members of the Engineer Corps, the doubt is expressed as to whether they will be fully utilized. Now, I say, Mr. President, it is time to pause until some of those already finished are tried out to see whether they will amount to anything.

It is with some reluctance that I speak of a canal through the State of the Senator from North Carolina, known as the Norfolk-Beaufort waterway, but I think, Mr. President, this deserves comment. The estimated cost of this improvement is \$5,400,000. Of this there has been expended for the Albemarle & Chesapeake Canal \$500,000.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER (Mr. THOMAS in the chair). Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. Yes.

Mr. SIMMONS. Mr. President, is the Senator opposing the item in the bill with reference to this improvement?

Mr. BURTON. I am opposing the appropriation in the bill of \$600,000.

Mr. SIMMONS. I want to express to the Senator my surprise, because this is the first time I have had any intimation that he was opposed to it. I understood that he was favorable to it.

Mr. BURTON. I do not know that I have ever expressed an opinion in favor of that waterway. I certainly opposed it when I was in a position to exert some influence on the matter. Let it be analyzed; let us see what it is.

Mr. SIMMONS. The Senator is a member of the Committee on Commerce, which approved this item, I understand.

Mr. BURTON. The Senator from North Carolina is not as accurate as he usually is, in that he knows perfectly well, and other members of the committee know perfectly well, that I found after the year 1910 that my own ideas of conservatism were not going to prevail in that committee, but I never approved this specific item, and, indeed, there was a vote taken upon it on which, with several other members of the committee, I voted against it. I refer to the time when it was first adopted.

Mr. SIMMONS. I do not mean to say that possibly the Senator ever approved it, but I do mean to say that I was a member of the subcommittee considering it, and my impression was that when this item was reached the Senator from Ohio acquiesced in it, though, of course, it is for the Senator himself to say as to whether or not he did so.

Mr. BURTON. In this particular case on this particular bill the Senator from North Carolina may be right; but I want to have it distinctly understood that in the last few weeks and months I have given examination to these projects much more elaborately than for years before, and I have learned a great deal about them. It is proposed to provide a waterway to cost \$5,400,000, with a channel 12 feet deep, where already waterways are in existence of 10 and 9 feet depth, a depth greater than in a majority of artificial waterways in the United States and in Europe. One of these connects with the Albemarle & Chesapeake Canal and the other with the Dismal Swamp Canal. In past years, when timber was in abundance, there was a very considerable amount of traffic there, but as the timber is cut off that traffic diminishes. What will the improvement accomplish? It will give a greater depth of channel, 3 to 2 feet, respectively, to about 80,000 people, or about \$60 apiece to those who are there. What are the figures of the traffic in that locality? There was, as shown by the reports, in the year 1890 a maximum traffic of 403,111 tons. That fell in 1900 to 195,958 tons, in 1910 to 135,626 tons, and in 1912 to 90,337 tons. It is possible that with the impetus given to the work, and through the material which is brought in, there may be some slight increase in the years to come; but the points to be noted are, first, the existence there already of waterways 9 and 10 feet deep, and, second, the very small population accommodated by it.

It was said at one time that traffic would go through this waterway and thus avoid Cape Hatteras. Why, Mr. President,

that is a chimera. Do you believe that the master of a sailing vessel is going to have his boat hauled 186 miles—for, I believe, that is the distance—by a tug, in a waterway that in many places is narrow, with danger of running aground almost every mile, when there is the open ocean before him? Is the proprietor of a steamer going to take his boat through that canal? The engineers even left this out of account in their recommendation. What is more, the depth of 12 feet is less than the draft of nearly all the sailing vessels—certainly I may say the steam vessels—that ply past Cape Hatteras and Cape Lookout and by the State of North Carolina.

I insist that this amount of \$600,000 is not fair to other projects in the rest of the country.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. In a moment. In addition to that, there was on hand on the 30th of June last a balance of \$823,766 to the credit of this improvement.

Mr. SIMMONS. Mr. President—

Mr. BURTON. I yield to the Senator from North Carolina.

Mr. SIMMONS. I assume that the Senator from Ohio desires to be fair, not only toward this project but toward the Senate, in the discussion of this and other items in the bill.

Mr. BURTON. Mr. President, if there is a brief statement or question which the Senator from North Carolina desires to submit, I shall be glad to yield; but it was my thought to go on with certain projects in the bill this afternoon, and I should very much prefer to do so. I shall recur again to this North Carolina project. If, in a sentence or two, the Senator from North Carolina can state any objection to what I have said, or ask any question, I shall be glad to respond; but I do not want to yield for an argument at this time.

Mr. SIMMONS. I am not going to discuss the matter at all; but I think the Senator, when he hears what I am going to say, will welcome the suggestion.

The Senator has referred to the small amount of commerce going through the Albemarle & Chesapeake Canal, and the fact that there is a depth of 9 feet there, or, rather, I think it is 8 instead of 9 at present; but the Senator has failed to state to the Senate that the sound system of North Carolina embraces, I think, about 3,000 square miles of territory covered by water, and that traffic going to the north from that immense volume of water, upon which there are a great many important cities, including probably one-fifth of the counties of North Carolina, must go through this canal or the other canal which connects those waters with the sound system; that is, either the Albemarle & Chesapeake Canal or the Dismal Swamp Canal. The Senator has also failed to tell the Senate that both of those canals until recently were privately owned, and that they imposed what was regarded in that country as a very heavy toll upon commerce going through them. The Senator will find that before the Government bought this canal the two canals were collecting in tolls annually from the people who live along the borders of this sound system and the rivers tributary to it somewhere, I think, in the neighborhood of \$100,000 a year. Of course the tolls interfered with the full development of commerce through those canals.

The Senator has also failed to tell the Senate what is a fact, that since the Government took over this canal, since it bought it at a price of \$500,000, in a dilapidated condition—the other canal was doing most of the work—there has been, to a certain extent, a suspension of traffic through that canal while the Government has been improving it, and that that traffic has been diverted to the Dismal Swamp Canal, which is a privately owned canal, and which charges tolls.

If the Senator will take the two canals together, he will find that even when they had to be used at an expense of something like \$100,000 a year in tolls, there was a very good traffic through those canals. When the Government shall complete the enlargement of this canal, and it shall be fully opened to commerce, I can tell the Senator, because I live in that section of the State, that there will be an enormous tonnage through it. Of course, the committee recognizes, and everybody recognizes, that when the Government shall improve this canal which it has bought it will necessarily close up the other canal, and the whole business upon the borders of that immense body of water, covering 3,000 square miles, with all the great rivers in North Carolina except two emptying into it, will be diverted to the Government canal, so that the traffic going through there will be enormous. A large part of it is a character of traffic that would naturally seek water transportation, provided the terms were terms of freedom instead of terms of toll and tribute, such as have existed in the past.

Mr. BURTON. Mr. President, I am glad the Senator from North Carolina has made the statement he has made; but when he examines the statistics I think he must admit that some of his deductions are erroneous. He states that there is some 3,000 square miles, I believe, of water there. What is needed for traffic is not water, but land. Now, let us see what are the counties that are tributary to this very wide expanse of water:

The county of Currituck, with 7,693 population.

The county of Camden, with 5,640 population.

The county of Pasquotank, containing Elizabeth City, with 16,693 population.

The county of Dare, containing Manteo, with 5,219 population.

The county of Hyde, containing Swan Quarter, with 8,840 population.

The county of Pamlico, containing Beaufort and Washington, with 30,877 population.

There are these and other counties, the aggregate population of which is something less than 100,000; and what is more, they have not increased in population in recent decades.

This, however, is the vital point about it: With all the tolls on the canals—the Dismal Swamp Canal and the Albemarle & Chesapeake Canal—a very much larger traffic was there 20 years ago than exists now. I do not know that I object to buying out the Albemarle & Chesapeake Canal and paying \$500,000 for it and making it toll free. In the days when I was a member of the Committee on Rivers and Harbors of the House the principal agitation for this inland waterway arose from those two canal companies, the Albemarle & Chesapeake and the Dismal Swamp, both of which wished to sell out to the Government. In 1890 there was, as I have already pointed out, a traffic of 400,000 tons. In 1909 the reports of the Chief of Engineers show that through one of these canals there went 400,000 tons and over—I do not remember the exact figures; that was the Dismal Swamp Canal—and through the other 300,000 tons and more. Since then, with the cutting off of the timber, the traffic that has gone through there has diminished, some commodities almost disappearing.

I do not wish, for any vindication of my own views, to see traffic falling off there, but I know of no way by which to judge of the future development of freight movement in that locality except by the past; and when they have had 9 feet and 10 feet in use for years, notwithstanding they have had the obstacle of tolls, and there has been a marked decline year by year, there is every indication that the decrease will continue in the future.

Mr. SIMMONS. Mr. President—

Mr. BURTON. I do not see what there is there, with this comparatively small population, with the timber denuded, to create traffic. There is not the source from which freight comes adjacent to this waterway. We have tried it out with waterways as deep as almost any inland waterways in the country here these 20 years, and the quantity has been diminishing all the time. Now it is proposed to increase these depths a couple of feet at an expense of \$5,400,000 and abolish the tolls on one of the canals—and I want to say that the best and largest traffic has been through the other canal, that is not acquired—

Mr. SIMMONS. Mr. President—

Mr. BURTON. While we are talking about additional taxation, it is well to bear in mind that there was \$800,000 on hand to the credit of this improvement on the 30th of June last—more than was on hand to the credit I think of practically all the harbors on the north shore of Lake Erie in the State of Ohio, where there is a traffic of 60,000,000 tons as against 90,000 tons here; more than there is in the city of Chicago; more than there is to the credit of the upper Mississippi from the mouth of the Missouri to St. Paul. With that amount on hand, it is asked that there shall be another appropriation here of \$600,000.

Mr. RANDELL. Mr. President, will the Senator yield to me for a moment?

Mr. BURTON. Certainly.

Mr. RANDELL. There was a balance on hand of \$823,000; but does not the same document which shows that balance on hand also show that there was an uncompleted contract there for \$702,152?

Mr. BURTON. Very well.

Mr. RANDELL. The contract had been let, leaving a very small balance.

Mr. BURTON. That contract will keep them busy for the rest of this year, no doubt. They are not going to spend that \$702,000 between now and next winter. It is probably a contract which involves a very long time; or, if not a very long time, a very considerable time. I say, Mr. President, that it

is out of proportion when you are appropriating \$5,400,000 and expending it for an area so small as this.

Mr. SIMMONS. Mr. President, will the Senator yield to me now?

Mr. BURTON. Yes.

Mr. SIMMONS. I wish to call the Senator's attention to the fact that in enumerating the counties that lie immediately upon the borders of these sounds he left out the counties that lie upon the rivers that empty into the sounds, and which, for navigation purposes, are essentially—

Mr. BURTON. The Neuse and the Trent and the Pamlico and the Tar?

Mr. SIMMONS. The Neuse, the Trent, the Pamlico, the Tar, the Bay, the Alligator, the Roanoke, the Chowan, and quite a number of other rivers. I will say to the Senator that outside of the Cape Fear River I think every navigable river in North Carolina empties into that sound system.

Mr. BURTON. What is the depth of the Neuse and the Trent?

Mr. SIMMONS. The depth of the Neuse and the Trent, for some distance up, up to my town—I live 40 miles—

Mr. BURTON. What is the depth?

Mr. SIMMONS. I am going to tell the Senator, if he will permit me. I live 40 miles from the mouth of the Neuse River, in the town of Newbern. That river empties into the Pamlico Sound. The depth of water up to Newbern, my home town, is 12 feet. That river is navigable for about 60 or 70 miles higher up. The town of Greenville, one of the largest in the State; the town of Washington, one of the largest in the State; the town of Kinston, quite a flourishing town, are on these rivers. One of these rivers will be navigable some day or other—it has a good depth of water now—up to the capital of my State. Practically all the waters of my State outside of the Cape Fear River empty into this sound system; and the sound system, for purposes of navigation, is as accessible to the counties along the borders of those rivers as it is to the counties immediately upon the shores of the sound.

The Senator says there has been a diminishing commerce there, served by these two private canals. Mr. President, the reason for that is not in any falling off of the commerce of that country. There has been no decline in the lumber-manufacturing industry in that section. There has been no decline in the fertilizer business of that section. There has been no decline in the cotton production of that section or in the truck production of that section. On the contrary, the lumber-manufacturing interest of that section has grown enormously in the last 10 or 15 years. In my own town, which is one of the great centers of lumber manufacturing in that State, the production has doubled, and more than doubled, in that length of time, and so all through that section of the country. We have not cut off the timber, as the Senator says, and, it being a fine reproducing section, we will not cut off the timber. It grows about as fast as you cut it down.

And so, Mr. President, with reference to the manufacture of fertilizer: The ingredient of that fertilizer comes by water. It comes now to Norfolk. It has to be taken from Norfolk either in boats, paying this toll that is charged, or it has to be taken by railroad; but there are big fertilizer factories in all of those towns that have been built up in recent years that are getting these materials coming by water into Norfolk.

The reason why there has been some decline in this traffic is twofold. In the last 10 years, or less time than that, a railroad has been built to the city of Newbern, to the city of Washington, to the city of Edenton, to the cities of Morehead City and Beaufort directly from Norfolk. When that road was built, and as long before it was built as I can recollect, there was a splendid line of steamers plying between the town in which I live and Elizabeth City, which was a distance of about 50 miles from Norfolk. They could not go directly to Norfolk, because the depth of these canals was not sufficient to permit them to go there. So they went to Newbern and from Washington to Elizabeth City, and then they took passage in a little branch railroad that ran out from Norfolk to Elizabeth City.

There was an immense traffic at that time. This line of steamers had boats on it that compared favorably with the boats that run on the Potomac River; not the largest, but the smaller of them. The railroad was built from Norfolk to my town. A few months after it was built the railroad bought out these splendid steamers that could not go to Norfolk because the depth of the water was not sufficient. They had to take passage at Elizabeth City upon this road which had been extended to Newbern, and in less than three months after they bought the boats of that line of steamers, which had been ply-

ing there since I was a boy, those steamers suddenly disappeared and they have not been there since.

That is one of the chief reasons why there has been a decline in that traffic. Let us conform the depth of this canal to the depth of the sound, to the depth of the rivers on that sound—12 feet to Newbern, 10 feet to Washington, with an appropriation providing for 12 feet—let us conform it to that, and we will have again a magnificent line of steamers doing the business of that country in competition with the railroads and the people of that country will get the benefit of reduced rates of freight.

Mr. BURTON. Mr. President, I have many times listened to the argument, made in the utmost good faith, and often with much enthusiasm, that the decline in water-borne traffic is due to the fact that some railroad cajoled or bought off a steamer, and that "while we are getting along very poorly with our 8 or 10 feet, if you will only give us 12 feet all will be well"; but I am willing to make the assertion here, without fear of contradiction, that I never knew a prediction made on that basis or with that premise to be fulfilled.

Great tendencies in transportation are more marked and controlling than the little, trivial fact that occasionally a boat is bought off. Why, the Senator from North Carolina, in his statement of the fact that they have timber there now, and it grows as fast as they take it off, is making the most potent argument to show the futility of this waterway. Twenty-four years ago, when your channels were shallow, when your tolls were imposed, the traffic on these two routes was more than four times as much as it was in 1912. It is flying to a refuge which is not safe, it is leaning on a broken reed, to say that it is because a railroad was built there or some boats were bought off. If the traffic was shifted to the railroads, it was because that was the more convenient and economical way of carrying the freight; and no removal of tolls on canals, no enlargement from 9 or 10 feet to 12 feet in depth, no expenditure of \$5,400,000, is ever going to bring back what has been lost to those channels. It is a chimera, it is a waste of public moneys, to attempt it.

I am thoroughly aware that the Neuse and the Trent and the Pamlico and the Tar and other rivers empty into these sounds, and they have emptied into them in all these past years. There has been the opportunity of sending freight from these rivers through channels in the sound deeper than most of these rivers are, deeper than all but one—the lower part of the Neuse. It is no new privilege which you are giving to the Neuse and to the Pamlico and those tributary rivers by this inland waterway. It is an opportunity which they have shared during all these years. They, with the sounds, have shared the decadence of this traffic.

Mr. McLEAN. Mr. President, will the Senator yield to me for a moment? I should like to introduce an amendment to the pending measure, and ask to have it printed.

Mr. BURTON. I have no objection, Mr. President.

Mr. GALLINGER. Mr. President, I should like to have the amendment stated.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The Secretary will state the amendment.

The SECRETARY. On page 6, after line 4, the Senator from Connecticut proposes to insert:

Improving harbor at Stamford, Conn.: Completing improvement in accordance with the report submitted in House Document No. 1130, Sixty-third Congress, second session, \$187,000.

Mr. SIMMONS. Mr. President, if the Senator will pardon me, I wish to make one observation.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. I do.

Mr. SIMMONS. Then I will not interrupt the Senator any more on this subject. [Laughter.]

Mr. BURTON. Does the Senator mean on North Carolina, or what? I am going to make a few more remarks about North Carolina.

Mr. SIMMONS. Upon the item the Senator is discussing.

Mr. BURTON. Well, that is all right, anyway.

Mr. SIMMONS. Mr. President, the Senator overlooks the fact in this connection that the canal which he is now talking about is not altogether a local enterprise, but that it is part of a great project that has been very much discussed in this country, for an inland waterway beginning at Boston and extending down the coast. One of the links is from Norfolk to Beaufort. That is the part of the coast where we have Cape Hatteras and Cape Lookout, two of the most dangerous capes upon the whole coast.

The Government has already built one of the canals at one end of this system of inland waters in North Carolina. This

system of waters, immense, as I have stated, has been practically landlocked—except for the private canals of which I have spoken, altogether landlocked—both at the north end of the system and at the south end of the system. At the south end of the system, this being one of the sections of that inland waterway, the Government has already constructed a canal at a cost of something over \$500,000, so as to connect the sounds at the south end with the ocean at Beaufort, N. C. It has already purchased one of these private canals, at an expenditure of \$500,000, to connect this waterway system at the north end with Norfolk, or, rather, with the Elizabeth River.

The large sum which the Senator has mentioned is for the completion of that link of this great inland waterway system from Boston to Jacksonville, Fla. It will cost a considerable sum of money, but when it is finished we will have an inland waterway from Norfolk to Beaufort, by a direct route, with a depth of 12 feet. The distance saved by this route over the ocean route, to say nothing about the enormous dangers that navigation always incurs in passing around the Diamond Shoals and Cape Lookout, will be about 150 miles, as I remember. In other words, the distance by this inland route will be about one-half what it is by the ocean route. It will be safe, while the ocean route is regarded as the most dangerous of any point upon the Atlantic coast.

Mr. GALLINGER. I will ask the Senator from Ohio if he will yield to me?

Mr. BURTON. I desire to proceed, Mr. President. I should like to answer the statement the Senator from North Carolina has just made.

Mr. GALLINGER. I intend to occupy but a moment of time. I rise, Mr. President, to suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bryan	Jones	Overman	Smith, Mich.
Burton	Kern	Perkins	Smoot
Camden	Lane	Pomerene	Swanson
Chamberlain	Lea, Tenn.	Ransdell	Thomas
Chilton	McCumber	Reed	Thompson
Culberson	McLean	Sheppard	Thornton
Fletcher	Martin, Va.	Shively	Vardaman
Gallinger	Martine, N. J.	Simmons	Williams
Hughes	O'Gorman	Smith, Ga.	

Mr. REED. My colleague [Mr. STONE] is necessarily absent from the city. In his absence he is paired on all matters with the Senator from Wyoming [Mr. CLARK]. I make this announcement for the day.

The PRESIDING OFFICER. Thirty-five Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of absent Senators, and Mr. BANKHEAD, Mr. FALL, Mr. POINDEXTER, Mr. SHAFROTH, and Mr. WHITE answered to their names when called.

Mr. ASHURST, Mr. SHIELDS, and Mr. BRADY entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-three Senators have answered to their names. There is not a quorum present. The Sergeant at Arms will carry out the order of the Senate and request the attendance of absent Senators.

Mr. LIPPITT, Mr. KENYON, Mr. LEWIS, Mr. COLT, Mr. MYERS, and Mr. OWEN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The Senator from Ohio will proceed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, requested the Senate to return to the House the bill (H. R. 17511) to authorize the Great Western Land Co. to construct a bridge across the Black River.

The message also announced that the House had passed a concurrent resolution (No. 47) authorizing the two Houses of Congress to assemble in the Hall of the House of Representatives on Friday, the 4th day of September, 1914, at 12.30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

MEMORIAL.

Mr. McLEAN presented a memorial of sundry citizens of Hartford, Conn., remonstrating against an increase of the revenue tax on cigars, which was referred to the Committee on Finance.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 6435) granting a pension to John Carpenter, alias John Parsons (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 6436) granting a pension to Winifred Whitney;

A bill (S. 6437) granting a pension to Leather A. Crooker; and

A bill (S. 6438) granting an increase of pension to Elander R. Grant; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 6439) to amend sections 9, 11, 13, and 16 of an act approved December 23, 1913, and known as the Federal reserve act, and for other purposes; to the Committee on Banking and Currency.

AMENDMENT OF FEDERAL RESERVE ACT.

Subsequently, during the delivery of Mr. BURTON's speech,

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. I do.

Mr. SIMMONS. The Senator from Oklahoma [Mr. OWEN], who has to leave the city, as I understand, to-morrow, desires to bring before the Senate this afternoon a bill of an emergency character, proposing to make certain amendments to the Federal reserve system.

Mr. BURTON. That is, for consideration?

Mr. SIMMONS. Yes.

Mr. BURTON. How long a time will it probably take?

Mr. OWEN. I should think 30 minutes.

Mr. BURTON. That would bring us about to 6 o'clock. Is it the intention to adjourn at that time?

Mr. SIMMONS. Yes; it is the purpose to adjourn at 6 o'clock.

Mr. OWEN. It will only take a moment to dispose of the matter, because I find that there would be some objection to the present consideration of the bill. I should like to be permitted to submit the report on the bill and ask that it be printed, and that I may bring the bill up to-morrow morning.

Mr. SMOOT. Mr. President, I have no objection to that, but I should like it distinctly understood by the Senate that the Senator from Ohio in yielding for this purpose does not in any way yield the floor and is not to be charged hereafter with having concluded one speech on this bill.

Mr. BURTON. I want to be thoroughly amiable about this matter.

Mr. OWEN. I submit the bill, with the report, and ask that it be taken up to-morrow morning.

The VICE PRESIDENT. The bill will be read by title.

The SECRETARY. A bill (S. 6439) to amend sections 9, 11, 13, and 16 of an act approved December 23, 1913, and known as the Federal reserve act, and for other purposes.

Mr. OWEN. I submit a report (No. 777) to accompany the bill.

Mr. GALLINGER. Does the Senator propose to take up the bill to-morrow morning? Is that what the Senator asked?

Mr. OWEN. I made the suggestion that I should like to be permitted to take it up to-morrow morning.

Mr. GALLINGER. I was about to say that if we are to have no opportunity to examine the bill it might be well to have it read to the Senate at this time.

Mr. OWEN. It would only take a few moments to have the bill read.

Mr. GALLINGER. I ask that the bill may be read.

The VICE PRESIDENT. The Secretary will read the bill.

Mr. SMOOT. Mr. President, I do not object to the reading of the bill, but I do not understand that the Senator from Oklahoma has asked unanimous consent to take up the bill to-morrow.

Mr. OWEN. I have not asked unanimous consent to do that.

Mr. SMOOT. But the Senator has merely given notice that he should like to be permitted to have it then taken up.

Mr. MARTIN of Virginia. Why not have the bill printed in the Record without being read?

Mr. GALLINGER. I have no objection to that. I should like to have an opportunity to examine it.

Mr. OWEN. I ask that the bill and report may be printed in the Record.

There being no objection, the bill and report were ordered to be printed in the Record, as follows:

A bill (S. 6439) to amend sections 9, 11, 13, and 16 of an act approved December 23, 1913, and known as the Federal reserve act, and for other purposes.

Be it enacted, etc., That section 9 of the act approved December 23, 1913, known as the Federal reserve act, is hereby amended by adding at the end of the section a new paragraph, as follows:

"The Federal Reserve Board shall have the right to admit to all the rights and privileges of member banks of the Federal reserve system State banks complying with the provisions above set forth, as herein modified, where such State banks have a capital of not less than \$15,000, organized in any place the population of which does not exceed 3,000 inhabitants; or where such capital is not less than \$25,000, organized in any place the population of which does not exceed 6,000 inhabitants; or where such capital is not less than \$100,000 in a city the population of which exceeds 50,000 persons; and on the further condition that such bank agrees to increase its capital stock, full paid and unimpaired, within 18 months to the minimum amount of capital required of national banks under section 5138 of the Revised Statutes of the United States."

That section 11 of the aforesaid Federal reserve act is hereby amended by adding an additional paragraph (m), as follows:

"(m) Upon unanimous affirmative vote of all its members, the Federal Reserve Board shall have power: First, to postpone or otherwise change the times of payment of the second and subsequent installments of subscriptions to the capital stock of the several Federal reserve banks for a period or periods not exceeding four months in all; second, to postpone for a period or periods not exceeding four months in all as to any date when any reserve requirement prescribed for member banks in section 19 of this act shall become effective; third, to permit member banks to carry in the Federal reserve banks of their respective districts any portion of their reserves now required by section 19 of this act to be held in their own vaults; fourth, to permit member banks to count as part of their lawful reserves Federal reserve notes to an amount not exceeding 5 per cent of their net demand deposits: *Provided, however*, That on and after the expiration of 36 months from the date of the official announcement of the Secretary of the Treasury of the establishment of a Federal reserve bank no member bank shall count as part of its lawful reserve any balance kept with any other bank except the Federal reserve bank of its district."

That section 13 of the aforesaid Federal reserve act is hereby amended and reenacted to read as follows:

"Sec. 13. Any Federal reserve bank may receive from any of its member banks, and from the United States, deposits of current funds in lawful money, national bank notes, Federal reserve notes, or checks and drafts upon solvent member banks, payable upon presentation; or, solely for exchange purposes, may receive from other Federal reserve banks deposits of current funds in lawful money, national bank notes, or checks and drafts upon solvent member or other Federal reserve banks, payable upon presentation."

"Upon the indorsement of any of its member banks, with a waiver of demand, notice, and protest by such bank, any Federal reserve bank may discount notes, drafts, and bills of exchange arising out of actual commercial transactions; that is, notes, drafts, and bills of exchange issued or drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used or are to be used for such purposes, the Federal Reserve Board to have the right to determine or define the character of the paper thus eligible for discount within the meaning of this act. Nothing in this act contained shall be construed to prohibit such notes, drafts, and bills of exchange, secured by staple agricultural products or other goods, wares, or merchandise, from being eligible for such discount; but such definition shall not include notes, drafts, or bills covering merely investments or issued or drawn for the purpose of carrying or trading in stocks, bonds, or other investment securities, except bonds and notes of the Government of the United States. Notes, drafts, and bills admitted to discount under the terms of this paragraph must have a maturity at the time of discount of not more than 90 days: *Provided*, That notes, drafts, and bills drawn or issued for agricultural purposes or based on live stock and having a maturity not exceeding six months may be discounted in an amount to be limited to a percentage of the capital of the Federal reserve bank, to be ascertained and fixed by the Federal Reserve Board."

"Any Federal reserve bank may discount acceptances which have a maturity at the time of discount of not more than three months and are indorsed by at least one member bank and which are based—

"(a) Upon the importation or exportation of goods; or,

"(b) Upon the domestic sale or consignment of goods to be delivered to purchaser or consignee on or before the maturity of such acceptances. The aggregate of such notes and bills bearing the signature or indorsement of any one person, company, firm, or corporation rediscounted for any one bank shall at no time exceed 10 per cent of the unimpaired capital and surplus of said bank; but this restriction shall not apply to the discount of bills of exchange drawn in good faith against actually existing values."

"Any member bank may accept drafts or bills of exchange drawn upon it and growing out of transactions involving the importation or exportation of goods and having not more than six months' sight to run, or drafts or bills of exchange having not more than three months' sight to run, drawn upon it and based upon the domestic sale or consignment of goods to be delivered to purchaser or consignee on or before the maturity of such acceptances, but no bank shall accept such bills to an amount equal at any time in the aggregate to more than one-half its paid up capital stock and surplus without the express permission in writing of the Federal Reserve Board."

Sec. 2. That section 5202 of the Revised Statutes of the United States is hereby amended so as to read as follows:

"Sec. 5202. No national banking association shall at any time be indebted or in any way liable to an amount exceeding the amount of its capital stock at such time actually paid in and remaining undiminished by losses or otherwise except on account of demands of the nature following:

"First. Notes of circulation.

"Second. Moneys deposited with or collected by the association.

"Third. Bills of exchange or drafts drawn against money actually on deposit to the credit of the association, or due thereto.

"Fourth. Liabilities to the stockholders of the association for dividends and reserve profits.

"Fifth. Liabilities incurred under the provisions of the Federal reserve act."

"The rediscount by any Federal reserve bank of any bills receivable and of domestic and foreign bills of exchange, and of acceptances authorized by this act, shall be subject to such restrictions, limitations, and regulations as may be imposed by the Federal Reserve Board.

"Sixth. Liabilities on account of indorsement of foreign bills of exchange, two name commercial paper indorsed by a member bank, and such acceptances as are permitted under this act, as all these instruments may be defined and limited as to amount under regulations prescribed by the Federal Reserve Board: *Provided, however*, That all such liabilities shall be set forth in statements of condition made by such banks to the Federal reserve banks, and shall not exceed twice the unimpaired capital and surplus of the member bank."

That the first and second paragraphs of section 16 of the aforesaid Federal reserve act, relative to note issues, are amended and reenacted to read as follows:

"Sec. 16. Federal reserve notes, to be issued at the discretion of the Federal Reserve Board for the purpose of making advances to Federal reserve banks through the Federal reserve agents as herein-after set forth and for no other purpose, are hereby authorized. The said notes shall be obligations of the United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in gold on demand at the Treasury Department of the United States, in the city of Washington, D. C., or in gold or lawful money at any Federal reserve bank.

"Any Federal reserve bank may make application to the local Federal reserve agent for such amount of the Federal reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal reserve agent of collateral in amount equal to the sum of the Federal reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes and bills, accepted for rediscount under the provisions of section 13 of this act, or rediscounted or purchased under section 14 of this act, and the Federal reserve agent shall each day notify the Federal Reserve Board of all issues and withdrawals of Federal reserve notes to and by the Federal reserve bank to which he is accredited. The said Federal Reserve Board may at any time call upon a Federal reserve bank for additional security to protect the Federal reserve notes issued to it."

That section 16 of the Federal reserve act is hereby further amended by adding, at the end of the section, the following paragraph:

"The Secretary of the Treasury is hereby authorized to designate Federal reserve banks as agents of the United States and of member banks in the redemption of national bank circulation, including additional circulation issued under the act of May 30, 1908, as amended, and also to devise and put in operation a system of clearances of such notes between the Treasury, Federal reserve banks, and member banks."

[Senate Report No. 777, Sixty-third Congress, second session.]

AMENDMENTS TO THE FEDERAL RESERVE ACT.

Mr. OWEN, from the Committee on Banking and Currency, submitted the following report (to accompany S. 6439):

The Committee on Banking and Currency, having had under consideration Senate bill 6439, "A bill to amend sections 9, 11, 13, and 16 of an act approved December 23, 1913, and known as the Federal reserve act, and for other purposes," respectfully report the same and recommend its immediate passage.

It is proposed by the amendment to section 9 to permit the Federal Reserve Board to admit State banks having a capital of not less than \$15,000 organized in any place not exceeding 3,000 inhabitants, or where such capital is not less than \$25,000 organized in any place the population of which does not exceed 6,000 inhabitants, or where such capital is not less than \$100,000 in a city the population of which exceeds 50,000 persons on the condition that such banks increase their capital stock within 18 months to the minimum amount of capital required of national banks under section 5138 of the Revised Statutes.

It is proposed to add an additional paragraph to section 11 authorizing the Federal Reserve Board to postpone not to exceed four months the payment of subscriptions to the capital stock, and to postpone likewise the period within which the reserve requirements should be paid. These proposals are intended merely to obviate the possibility of friction in obtaining the gold necessary to make these payments to the Federal reserve banks. Third, to permit member banks to carry in the Federal reserve banks of their respective districts any portion of their reserves which they are now compelled by section 19 to hold in their own vaults. (This will give authority to the banks to make a larger deposit of reserves with the Federal reserve bank if they choose to do so.) Fourth, to permit member banks to count as part of their lawful reserve Federal reserve notes not exceeding 5 per cent of their net demand deposits. This latter provision would have the effect of releasing additional gold which would pass into the Federal reserve banks and become more efficient there for banking purposes.

There is a proviso, however, that this amendment to section 11 is not to be construed as extending the period of 36 months within which the transfer of reserves must be made to the reserve banks under the existing statute.

Section 13 is amended by providing that Federal reserve banks may discount domestic acceptances based upon the domestic sale or consignment of goods, and permitting national banks to make such acceptances up to one-half its capital stock and surplus, and beyond that point only by the written consent of the Federal Reserve Board.

This section is also further amended so as to permit national banks to have the extra liabilities above capital stock contemplated by such acceptances and by liabilities on account of indorsement of foreign bills of exchange and on account of two-name commercial paper indorsed by a member bank.

Section 16 is amended so as to permit bills rediscounted or purchased under section 14 to be made a basis of Federal reserve notes.

Section 16 is further amended to authorize the Secretary of the Treasury to designate the Federal reserve banks as agents of the United States and of member banks in the redemption of national bank circulation, including the Vreeland-Aldrich notes, and to devise and put into operation a system of clearances of such notes between the Treasury, Federal reserve banks, and member banks.

AMENDMENT TO RIVER AND HARBOR BILL.

Mr. McLEAN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and to be printed.

DONATION OF CONDEMNED CANNON.

Mr. COLT submitted an amendment intended to be proposed by him to the bill (S. 5495) authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls, which was ordered to lie on the table and to be printed.

JOINT MEETING OF THE TWO HOUSES—PRESIDENT'S ADDRESS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 47) of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That the two houses of Congress assemble in the Hall of the House of Representatives on Friday, the 4th day of September, 1914, at 12.30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Mr. SIMMONS. In the absence of the Senator from Indiana [Mr. KEEN] I ask that the Senate concur in the resolution of the House of Representatives.

The concurrent resolution was considered by unanimous consent and agreed to.

BLACK RIVER BRIDGE, MISSOURI.

The VICE PRESIDENT laid before the Senate the request of the House of Representatives for the return of the bill (H. R. 17511) to authorize the Great Western Land Co., of Missouri, to construct a bridge across the Black River.

Mr. FLETCHER. I ask that the Committee on Commerce be discharged from the further consideration of the bill and that it be returned to the House.

The VICE PRESIDENT. Without objection, it is so ordered, and the request of the House will be complied with.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13811) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BURTON. Mr. President, before the interruption for the call of a quorum the Senator from North Carolina [Mr. SIMMONS] alleged that this improvement was not alone in the interest of the State of North Carolina but of the whole country. Of course that is true in a sense of every improvement that is made. But the particular reason which he gave, namely, that it was a part of a great through route along the ocean from north to south, will not, I am confident, bear analysis.

In the first place, both these involve the deepening of existing channels from 9 and 10 feet, respectively, to 12 feet. There are no through sailing boats, except, of course, pleasure craft or boats of very minor importance, or steamships that could go in a 12-foot channel. The whole tendency in our transportation is to increase the size of the units. Coal, lumber, and all other commodities are carried in increasing cargoes on larger boats. Indeed, one of the main reasons of the pressure brought to bear upon Congress for appropriations for harbors is in response to this demand for greater depth and channels in which larger boats may enter. That is one reason why it is not of a general or national importance. Another reason is one to which I have already given some attention—that it is absurd to believe that the master of a sailer would try to carry her through a channel 180 miles long in which much of the way he would be in constant danger of running aground. What a mariner desires more than anything else is abundance of sea room, and he would take advantage of the open ocean rather than go through the inland channels, which occasionally are narrow and somewhat circuitous. Of course it is perfectly evident that any sailer would require a tug to get her through.

Mr. GALLINGER. Will the Senator yield, that I may offer a proposed amendment to this bill for the purpose of having it printed?

Mr. BURTON. Yes.

Mr. GALLINGER. I offer the following proposed amendment to the bill. I ask to have it read and printed and lie on the table.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. Add as a new section to the bill the following:

SEC. 14. That the act entitled "An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce," be amended to read as follows:

"That the Postmaster General is hereby authorized to pay for ocean mail service, under the act of March 3, 1891, in vessels of the second class on routes to South America south of the Equator, to the Philippines, to Japan, to China, and to Australasia at a rate not exceeding \$4 per mile on the outward voyage by the shortest practicable routes, and in vessels of the third class on said routes at a rate not exceeding \$2 per mile on the outward voyage by the shortest practicable routes: *Provided*, That subject to the foregoing provisions, every contract hereunder shall be awarded to that responsible bidder who will contract,

under penalties prescribed by the Postmaster General, for the highest running speed between the points named in the contract.

Mr. BURTON. Do I understand that is an amendment to this bill?

Mr. GALLINGER. It is a proposed amendment.

Mr. BURTON. There remains the argument that this might be of advantage for through traffic, because of the hauling of barges. This assertion also, Mr. President, will fail to receive support. Perhaps to the north, through portions of Chesapeake Bay, indeed, even to Baltimore, this might be possible; but to the south there is an exposed stretch of the ocean, and no barge could safely be navigated, say, from Georgetown, S. C., which would be the nearest port of importance in another State. In the time when I was a member of the Committee on Rivers and Harbors I took considerable pains to correspond with collectors of customs all along this route to make the inquiry as to whether there were any boats of small size that could use the canal or whether there were barges of the type that could use it, and I must say that I received almost unanimous or practically unanimous negative replies, particularly because the boats in use or barges for transportation on the ocean routes were of a greater depth than would be provided by this canal. So it is local. It benefits, as far as the abutting country is concerned, some 70,000 or 80,000 or 90,000 people, and they are already supplied with channels 9 and 10 feet in depth, deeper than the Mississippi below Cairo, deeper than the Mississippi above Cairo, as deep as is to be provided for the Ohio, as deep as the Barge Canal through New York State, already provided. But here there is a plan to spend this immense amount of money, \$5,400,000, to give them 12 feet in that very limited area.

I think it may be interesting to read through the traffic statistics to see what make up the 91,000 tons. Lumber, 20,015 tons; logs, 16,000 tons; piling, 12,000 tons; wood, 2,060 tons; and guano, so much exploited for its use for fertilizer, the quantity of 1,064 tons; coal, salt, and corn each shows a little over a thousand tons, and from this it tapers off to 200 tons of shingles and 145 tons of oyster shells.

Mr. President, this is an illustration of the kind of items in our river and harbor bills for which we are appropriating millions of money.

I have already shown, I think, that that argument can not be regarded as a valid one, but I see in this bill this provision:

Improving harbor of refuge at Cape Lookout, N. C.: Continuing improvement, \$300,000.

That is the form in which it came from the House, and I see added to it the following Senate committee amendment proposed:

Provided That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$1,826,000, exclusive of the amounts herein and heretofore appropriated or authorized.

Here is an unusual degree of caution. In the first place, it is asserted that this new inland waterway is necessary, at a cost of \$5,400,000, to save the boats that go around Hatteras and Lookout by giving them an inside route, but to make assurance doubly sure, there is a harbor of refuge there besides, for which there is an appropriation of \$2,126,000, and that in the face of the fact that the present Chief of Engineers, Gen. Kingman, several years ago reported against this harbor of refuge. The survey upon which this project was based was for a choice between Hatteras and Lookout.

Nevertheless, Mr. President, within reasonable bounds of appropriation I have not the heart, I may say, to oppose this harbor of refuge. It is difficult for me or for anyone to oppose propositions that look toward the saving of human life on a bleak coast on the sea. But it should be borne in mind that in Massachusetts there is a place where many more ships pass than pass here in the day or night. At Sandy Bay, after the improvement was under way from 1885 for nearly 30 years, we abandoned that harbor of refuge, and, as an illustration of our policy on the subject, abandoned a harbor of refuge between a third and a half completed and then took up this other.

It is to that I wish to call the attention of the Senate—the erroneous policy, or, rather, the absence of any policy, which we are pursuing in making our appropriations.

I must say in looking through the bill that North Carolina, the old North State, is provided for with extreme generosity. There are some 28 projects here for that State, 6 of which are new, and the aggregate amount, if you take the tonnage of the State into account, is more per ton, I think I am safe in saying, than for any State in the Union. Counting in rivers and harbors and everything, the tonnage handled in North Carolina is somewhat in excess of 3,000,000. Compare that, for instance, with Massachusetts, with between thirty-five and forty million

tons; compare it with Pennsylvania, with its tonnage of between thirty and forty million tons; compare it with the northern portion of Ohio, and the ports fronting on Lake Erie, with some sixty millions of tons, all, I am very sure, with less appropriations than those included in this bill for the State of North Carolina.

Mr. President, it seems to me with \$300,000 on hand for an improvement which should be reviewed, we can well afford to omit this \$600,000 for the inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.

I desire to take up another provision in this bill in which there is a considerable difference between the House and the Senate.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Ohio yield to the Senator from North Carolina?

Mr. BURTON. Yes.

Mr. SIMMONS. I just came in as the Senator from Ohio was commenting upon the item in the bill providing for a harbor of refuge at Cape Lookout. The Senator from Ohio speaks of projects in which North Carolina is interested. I want to say to the Senator that there is no provision in this bill of any kind that was so universally approved and indorsed and recommended by every interest that has any connection with the sea, from Boston to Jacksonville, as was this harbor of refuge. It is true it is located upon the coast of North Carolina, but North Carolina has very little interest in it compared to the general interest of those who go to sea upon the Atlantic seaboard.

I will say to the Senator that the Board of Engineers regarded this matter as of so much importance, in view of the representations that had come to them of the necessity of a harbor of refuge upon this dangerous point upon the Atlantic coast, that they went down to North Carolina; they went to the Cape; they made a personal inspection. Before going, however, they had notified all the shipowners navigating the Atlantic coast that they would have a hearing at Beaufort and asking them if they desired to be heard to send representatives. Letters were sent to all the sea captains; letters were sent to the boards of trade from Boston down to Jacksonville, Fla. When the Board of Engineers met there, after having made a personal inspection of the situation, having visited Cape Hatteras and having visited Cape Lookout, there was a veritable gathering of the representatives of the great interests that were connected with the coastwise navigation of this country on the Atlantic seaboard. All the great boards of trade sent resolutions there in favor of it; the masters of ships sent, I remember, Capt. Crawley, from Boston, Mass., to represent them. The underwriters from all the cities along the coast sent representatives there to speak for them. The board had hearings there. They were long; they were full; they were complete. As a result of those hearings, the Board of Engineers reported unanimously in favor of this harbor of refuge, not for the people of North Carolina, not to subserve a local interest, but to subserve the great interest of life and property that was in jeopardy because of the dangerous points upon that coast.

When this item was called up in the Senate Committee on Commerce this year I remember that the Senator from Ohio remarked that he had at one time felt somewhat disposed to oppose it, but on account of the enormous backing it had he was disposed to withdraw any opposition to it. I am amazed to hear the Senator here under these circumstances attacking this item.

Mr. BURTON. Mr. President, I stated, had the Senator done me the honor to listen to what I said—

Mr. SIMMONS. I did not hear all the Senator said.

Mr. BURTON. I stated that I had not opposed this item. I called attention, however, to the fact that double provision was made for safety in moving around Cape Lookout and Cape Hatteras. I called attention also to the fact that the present Chief of Engineers, Gen. Kingman, when he was district engineer, in the most explicit terms condemned this locality and said it was not suitable either for a harbor of refuge or for a harbor.

Mr. SIMMONS. He made that statement without knowing anything about it.

Mr. BURTON. I might call attention also to another fact that I think shows that the manner in which this favorable report was secured was hardly fair. This matter was not presented to the Board of Engineers as the ordinary project is, as a part of a river and harbor bill, but it was presented to them by resolution, under which they were to render their decision as to which was the more favorable location, Cape Hatteras or Cape Lookout, not on the question as to the merits of either

locality as a harbor of refuge at all, but as an expression of preference between the two.

Again, I am perfectly familiar with the course of marine underwriters and others in asking for a harbor of refuge. I may say, with entire confidence, that while many masters of ships may have asked for this location, the number was by no means so great as those who favored the harbor of refuge at Sandy Bay, in Massachusetts. Notwithstanding that fact, I do not recall having received a letter, and I do not believe the Committee on Commerce has received a letter, in the course of the last year advocating the completion of that improvement.

I am not going to oppose this improvement, Mr. President, but I referred to it as showing how generously the State of North Carolina had been provided for; I referred to it as having been recommended under somewhat doubtful and unusual circumstances. I question whether the \$1,826,000 to complete it is any more meritorious than are the appropriations for many other projects that are compelled to wait until another bill, though this amount was inserted as a Senate amendment after the bill had come from the other House with an appropriation of \$300,000. I can see that probably this amount will make construction somewhat more economical; but scattered all over the country there are unfinished projects, which were commenced long before Congress committed itself to the harbor of refuge at Cape Lookout, that needs must wait until the piecemeal annual appropriations are made to finish them.

I wish in the next instance, Mr. President, to call attention to the Chesapeake & Delaware Canal. Here a canal is in existence, as its name indicates, giving means of passage from the Chesapeake to Delaware Bay or River, which has been in use for many years. There is a certain amount of traffic through this canal, amounting, perhaps, to 600,000 or 700,000 tons a year, with a toll of, I believe, 25 cents a ton. This canal saves a very great distance and is of very material advantage to the boats or their masters making use of it. The bill came from the House with an appropriation of \$1,300,000 "to purchase said canal and appurtenant property at a cost not to exceed the amount herein appropriated for such purpose," namely, \$1,300,000.

There were both bonds and stock of this company. The bonds have been quoted at 49 cents on the dollar, which would make \$1,300,000 an ample price for its purchase; but an amendment has been reported by which the amount is increased to \$2,250,000; and there are elaborate provisions for the condemnation of the property of this private company.

Mr. President, this is premature. I pass by the fact that the House of Representatives thought \$1,300,000 was all that ought to be given for this canal—and they gave extended hearings and lengthy consideration to the matter. I pass by the fact that the Senate committee changed that \$1,300,000 to \$2,250,000, and wish to impress upon the Senate the vital point that in this exigency, when we are levying new taxes, it is no time to buy old played-out canals.

The sum of \$2,250,000 is not all. The estimate of the engineers is that to change this canal and get it into shape would make the total cost \$8,000,000.

Mr. RANDELL. The provision is for a depth of 12 feet.

Mr. BURTON. With a provision for 12 feet connecting two great waterways having a depth of from 30 to 35 feet. There seems to be some difference of opinion as to the depth that already exists in this canal; but I have placed it as 12 feet, though the canal is not in the best of condition.

Mr. President, is the Senate going to vote \$2,250,000 for that old canal when it is reported that the cost to secure 12 feet depth will be \$8,000,000? If we are to take over the canal let us do something that has some character about it. Let us authorize and appropriate that \$8,000,000 now, and not go at it in this partial, dribbling way. If we have that purchase to make, and that improvement to make, let us face it courageously. As this goes forth to the country, you would think that \$2,250,000 was all the Senate regarded as necessary to acquire the canal; that all the House regarded as necessary was \$1,300,000; but right in the body of the report appears the fact that \$8,000,000 is necessary; \$5,750,000, I think, in addition to the purchase price.

This is not a time for bargains in canals; it is a time when the individual citizen of the United States is beginning to recognize that he must economize, and he has a right to demand that the Government of this country should show something of that same disposition to avoid needless and extravagant expenses.

Mr. KENYON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Yes.

Mr. KENYON. The Senator from Ohio is, of course, familiar with what is known as the Agnus report, with reference to this canal. I see the estimate in that report carries the figures up to \$20,621,323.70. That is for a deeper canal, of course.

Mr. BURTON. How many feet deep—25?

Mr. RANDELL. Twenty-five feet.

Mr. KENYON. But we are starting on a proposition of eventually having a 25-foot channel at an expenditure of \$20,000,000.

Mr. RANDELL. I do not so understand it.

Mr. KENYON. I mean we are taking the first steps now that will result in an expenditure of \$20,000,000 before we are through with it.

Mr. BURTON. With this disposition on the part of Congress to yield to the claims and demands of waterway associations, with a channel on one side 35 feet deep and on the other perhaps 25 feet deep, are we likely to stop with a channel of 12 feet between them?

Mr. RANDELL. Mr. President, I think so, beyond question. I know that I personally favor a 12-foot waterway there; I do not favor a 25-foot waterway. I took the ground when the people of the locality were talking to me about it that a 25-foot waterway was an ocean depth, and that they had the ocean right near them; they had the Chesapeake Bay and they had the Delaware Bay, both of which were more than 25 feet deep, and there was no necessity for more than 12 feet in this particular improvement; but that, as an extension of the intercoastal canal from Norfolk on down through to the North Carolina sounds, about which the Senator has just been discoursing, in my judgment the project was justifiable, and it would be wise and would be profitable to the people of the United States.

There is a private canal there now, as the Senator is aware, of a depth of between 7 and 8 feet, as I recall. I am not positive as to the depth; but it is so narrow that the boats passing through it look as if they would turn over, so tall and narrow must they be in order to get through the locks. There is considerable commerce through there on which the people pay pretty heavy tolls.

Mr. BURTON. Twenty-five cents a ton is the rate, is it not?

Mr. RANDELL. I do not remember the exact amount.

Mr. BURTON. I think that is the amount, although the toll is graded according to the articles, as I understand.

Mr. RANDELL. The company has been earning 5 per cent on a valuation of \$2,500,000. The Agnus commission reported that that canal was worth fully \$2,500,000, and that the Government could afford to pay that for it. The commission subsequently appointed from the Engineer Corps made a similar report and advocated the purchase of the canal at \$2,500,000. They said it was worth that, and the testimony before the Senate Commerce Committee—we had hearings and went into it rather elaborately—convinced us that the private company was earning fully 5 per cent, and had been earning 5 per cent for many years past on \$2,500,000 valuation. There was some testimony to lead us to believe that, in spite of the fact that they were earning 5 per cent on that valuation, we could probably buy it for \$2,250,000, and that is why that valuation was placed upon it.

Mr. BURTON. There is a valuation of \$2,500,000, but the bonds have been sold at 49 cents.

Mr. RANDELL. There was some talk of that kind; I do not remember exactly the facts; but we came to the conclusion that the property was paying 5 per cent interest on a valuation of \$2,500,000, and that it would be a vain thing to try to condemn it and acquire it for \$1,300,000, the sum which was appropriated by the House. If we are going to extend the intercoastal system along to the Gulf, surely that great link between the cities of Baltimore and Philadelphia, where there is a constantly growing and very important commerce, ought not to be left unprovided for. Those were the reasons which I think influenced the committee in its action.

Mr. KENYON. May I ask the Senator from Louisiana a question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Iowa?

Mr. RANDELL. I will be delighted to yield to the Senator.

Mr. KENYON. Was it not developed before the committee that this canal was in a very run-down condition?

Mr. RANDELL. I do not recall that. My recollection is that the testimony showed it was being kept up so that it could be used; but there has been considerable agitation to have the Government acquire the canal, and I do not imagine that the owners of it have been spending any more than was absolutely necessary to keep it going; but it certainly must be in fairly good condition, because boats travel through it, and there is a considerable commerce actually moving on it.

Mr. KENYON. The Senator will remember Mr. Groves, who appeared before the committee—I am not a member of the committee, and I merely have the printed testimony taken before the committee—but Mr. Groves says:

I went through that canal about five years ago with some other gentlemen, and as we were passing through he happened to notice a pile driver, and they had one of the old hand pile drivers, which they dropped down, and he said that was the first time in his life he had ever seen anything like that. Everything there is the same way.

They have no superintendent on that canal, and have not had for years. And, then, on the sides of the canal the piling is worn out. It has been covered with oak sheet piling, and it rots out, and it is in a fearful condition.

There is much testimony of that kind in the hearing, showing that the canal is in a bad condition and that it will require a large sum of money to put it in shape.

Mr. RANSDALL. It will require some money to repair it; but, as I have said, the Agnus commission, which was an honorable body of men, and which went into the examination of this matter with the greatest care—much more care than the Senate committee could possibly give to it—reported in favor of the purchase of the canal and reported in favor of the Government giving the owners \$2,500,000. Then the engineers who examined it made a similar report and advocated its purchase at a valuation of \$2,500,000. The engineers, as Senators know, have far better opportunity to ascertain the facts than have Members of Congress. They were on the ground; they went over it.

I presume that first it was examined by the local engineer; then by the division engineer; then it certainly had to run the gantlet of the special commission of engineers; then it ran the gantlet of the Board of Engineers; then the Chief of Engineers had to act upon it also; and all of those men reported in favor of its purchase and fixed a valuation of \$2,500,000. Although undoubtedly it is somewhat run down, as has been suggested by the Senator from Iowa—and I do not deny the fact that it is run down—yet we came to the conclusion that these commissioners, knowing more about it than we did, having fixed the valuation of \$2,500,000 upon it, it must be worth somewhere about that sum.

Mr. KENYON. There was some report from Maj. Tuttle to Gen. Craighill, I think, as to about 7,000 feet of that canal being quicksand.

Mr. RANSDALL. I do not recall the details. It is not located in my section of the country, as the Senator will understand, and I only remember the facts in a general way.

Mr. KENYON. I thought the Senator was so familiar with all these matters that he would know as to that.

Mr. RANSDALL. I am fairly familiar with it here and there, and I remember in a general way as to what was shown by the summary of the report of the Agnus commission and by the other commission, but I do not remember all the evidence.

Mr. KENYON. The Government itself had some stock in that canal.

Mr. RANSDALL. It did; but the stock is of no value, let me say, because of the bonded indebtedness, which, if I recall, amounts to about two and a half million dollars or \$2,250,000; something of that kind. We do not expect to pay any more than the bonded indebtedness. I ask the Senator from Ohio if I am correct in stating the bonded indebtedness at about \$2,250,000?

Mr. BURTON. It is either \$2,250,000 or \$2,500,000.

Mr. RANSDALL. It was clearly proved, however, that the stock was utterly valueless.

Mr. KENYON. The stock may be worthless now, but there were dividends paid upon it at one time, were there not?

Mr. RANSDALL. Possibly many years ago; I do not recall.

Mr. KENYON. The Government had a suit pending to recover the dividends which were due the Government, but which had been stolen by some of the officers.

Mr. RANSDALL. That may be true; I do not recall that.

Mr. KENYON. The only point I had in mind was that which the Senator from Ohio suggests, that this project as it seems to me—I may be wrong about it—is simply the unloading on the Government of a worthless proposition.

Mr. RANSDALL. I do not think so. It is a very important link in the intercoastal chain, and I think the evidence shows it is worth two and a quarter million dollars.

Mr. KENYON. Where will the intercoastal chain stop?

Mr. RANSDALL. I can not tell you where it will stop. There are some very valuable links in it which I would like to see made. This is one of them. The link in North Carolina is another. It may not be carried all the way through to the Gulf, although the aspiration of some of the advocates of the project evidently is to connect Boston and the Rio Grande. I do not pretend to say that I am in favor of that now. The time may come when I will favor it. When there has been a

great increase in population and business has grown sufficiently I may do so; I may favor it all the way to the Gulf, but I do not do so at this time. I do favor, however, the construction of such great links as, for instance, the one between the cities of Philadelphia and Baltimore, where upward of 200 miles of distance could be saved by the use of the canal.

Mr. KENYON. The proposed intercoastal canal involves an expenditure of \$50,000,000—or is it \$100,000,000?

Mr. RANSDALL. The figures run up pretty high.

Mr. BURTON. Much more than that. I read the figures this morning.

Mr. RANSDALL. I can say that Congress has not adopted the expensive part of it.

Mr. KENYON. No; but some of these projects are sustained on the theory that they will become a part of this great intercoastal waterway system.

Mr. RANSDALL. Not necessarily.

Mr. KENYON. That is an argument that has been advanced.

Mr. RANSDALL. The Atlantic Deeper Waterways Association of course favors the whole route, but Congress is not adopting the whole route. It is simply taking up some links in the chain. There is a link in my State, between the city of New Orleans and Morgan City, which has been adopted in this bill. There are two private canals there now, and I believe that when we come to discuss that matter, if the Senators have not examined it and will allow me to explain it—I am not going to take the time now to do so—they will be convinced that that is a good link; but there are other links which I would not favor at all.

Mr. KENYON. Why should the links be established if the whole system never will be put into operation?

Mr. RANSDALL. Let me explain that point. The canal, say from Morgan City to New Orleans, connects the back section of the country with the Mississippi River, and when you get in connection with the Mississippi River you have 16,000 miles of waterways which are now navigable running right up into the section of the country where the Senator from Iowa lives, as he knows. So that if this Morgan City-New Orleans link can be acquired—and it is only 90 miles—it would connect a splendid section of Louisiana with the great Mississippi River system.

So if you make the link from the Chesapeake to the Delaware you will have a thing which is complete in itself; you will connect by an interior waterway the wonderful Chesapeake Bay, with all of its harbors and the small streams that run into it and all the little towns which border it, with the great Delaware Bay; you will be joining interiorly those two great bodies of water, and will develop a splendid commerce by a link that will be complete in itself.

Mr. KENYON. I fear, however, that we will have involved ourselves in a project which eventually, according to the engineers' reports, will cost at least \$20,000,000.

Mr. RANSDALL. I will say that personally I am very much opposed to a depth for this canal of over 12 feet. I thought that 12 feet was a fair and proper depth, but anything deeper and more than that I certainly should oppose.

Mr. BURTON. Mr. President, the Senator from Louisiana does great credit to his charity and to his lenient judgment as to tendencies in the form of demands on the Federal Treasury when he says he thinks this project is going to stop with a channel 12 feet deep. Some years ago I favored two canals, one the Dismal Swamp Canal and the other the Albemarle & Chesapeake Canal, 9 and 10 feet deep. The cost of one, I believe, was about \$300,000 and of the other \$300,000 or \$400,000. They were completed practically during the time when I was chairman of the Committee on Rivers and Harbors. It seemed to me a most ample, generous provision for that locality, but there immediately followed a demand, which has now proven successful, for a depth of 12 feet there. To show that the chance of a depth of more than 25 feet is not remote, I will read briefly from the official report, which I have before me, on the intercoastal waterway, Boston, Mass., to Beaufort, N. C.:

The law under which the board is organized and has conducted its investigations—

I am quoting from Document No. 391, Sixty-second Congress, second session—

prescribes 25 feet as the maximum depth to be considered. This depth would permit nearly all of the coastwise water-borne traffic now plying between Baltimore and ports of the northern Atlantic coast to use the canal advantageously, saving time and distance and avoiding the dangers of the exposed waters from Cape Henlopen southward to Cape Charles. A large part of the foreign commerce of Baltimore with Canadian and European ports could also use to advantage a canal of this depth. The saving from this cause is estimated as not less than \$200,000 annually.

Then the report goes on to say:

A depth of 18 feet would permit few of the vessels engaged in this commerce to utilize the canal. The difference in cost of a canal 25

feet deep and one 18 feet deep is \$2,400,000. If the sections are proportional; but it is believed that the minimum width regarded as permissible for the deeper canal could be reduced but little for the lesser depth and not at all if the canal were designed with a view to future deepening to 25 feet. If the canal were constructed with the smaller section and widened later, the work would involve the loss of all revetments, slopes, and slope protection along one bank and the excavation of material from an unfavorable position on the surface of the slope.

That report clearly intimates a greater depth than 12 feet. To anyone who is familiar with the pressure brought to bear for enlarging waterways I think it would be very unsafe to prognosticate that this will stop at 12 feet. Indeed, the constant argument when a costly improvement has been urged and completed is, "Oh, but it is not deep enough," and then redoubled pressure is brought to bear to gain a greater depth. It is just like the experience we have always had about locks and dams. When a dozen have been built at enormous expense in the Kentucky River, or some other river, they say: "Oh, but you have not built the thirteenth or fourteenth yet. If you will build 13 or 14, why, then, you will certainly have some traffic."

It appears that when they had 6 locks in that river the traffic was a great deal larger than it was when they had 12; but, at enormous expense, year by year we were adding lock after lock in response to the argument, "Oh, you have not locks enough; get a few more, and certainly traffic will develop." In the meantime, when this second wish was complied with, there was less traffic than there was in the beginning.

Mr. RANSDELL. Mr. President, the Senator does not mean to intimate that you could use a river system where there were a number of locks until you had completed the system, does he?

Mr. BURTON. Every river is supposed to have on its borders territory that is productive, and when you improve a river from its mouth it is supposed that you will have some traffic of some kind from each successive reach or stretch of the river. Take the case of the Kentucky River. It was recommended to us as one which would develop a great coal traffic from the upper portions of the river. As I recall, about the only coal that is carried in it is from the Ohio, upstream. I will come to that river later, though. If my recollection is imperfect as to the number of locks or anything of that kind, I will bring it up. The same is true, of course, of the Big Sandy River, where the more locks built the less coal was carried.

Mr. RANSDELL. Mr. President, the Senator would not say that about the Black Warrior. We are trying to finish that project. It has been under way for a great many years, and we appropriate \$750,000 in this bill to finish the last lock. The Senator thinks it is necessary to finish that, does he not, to get the full benefit of the money we have been expending for these many years?

Mr. BURTON. In the hearings on that project 10 or 15 years ago it was always maintained that traffic in coal would be developed from the mines immediately above Tuscaloosa. Unfortunately, in carrying out the plans several gaps were left in the lower portion—Locks 2 and 3, as they are now called, in the Tombigbee River—so that the question could never be tried out. I am hopeful that coal will be carried there; but you did not need to build this last lock, No. 17, to get to the coal fields. I myself have been in a coal mine but a short distance above Tuscaloosa where there was an abundant supply of coal, and the dip toward the river was favorable for drainage. Indeed, during the present year, as I understand, the company of which Mr. Bernard is manager has shipped a large amount of coal from the stretches that are below Lock 17. However, the largest quantity of the coal, no doubt, is in the portion above Lock 17. There is a more abundant supply there than there is below.

I regard that improvement as problematical. It may prove a great success; but I would not wish to duplicate that kind of improvement in any other part of the country until that was tried out and we found whether it succeeded.

Mr. MYERS. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Montana?

Mr. BURTON. I am glad to yield to the Senator from Montana.

Mr. MYERS. Does the Senator object to interruptions?

Mr. BURTON. Oh, no.

Mr. MYERS. I was not here when the Senator began his speech.

Mr. BURTON. When I commenced I intended to take up a particular line; but the time has been somewhat broken, and I shall be glad to yield to the Senator.

Mr. MYERS. I was not here, as I say, when the Senator began his speech. Did he make the customary announcement or request, or at least the one that is frequently made, that

he be not interrupted by questions until he concluded his address?

Mr. BURTON. No; I did not.

Mr. MYERS. If the Senator is entirely willing to be interrupted, I shall ask him some questions after a while, when he goes on to another branch of his address. I have none to ask just now.

Mr. BURTON. Will the Senator from Montana, for my private information, give me an intimation of what that other branch of the inquiry is?

Mr. MYERS. If the Senator is in a hurry to get through, of course I will not interrupt him now or at any other time.

Mr. BURTON. Of course I desire to make progress, but I feel that I am ready to respond to inquiries at almost any time.

Mr. MYERS. I will not interrupt the Senator's argument just now. When he goes to another branch I may do so.

Mr. BURTON. I am frank to say to the Senator from Montana that my curiosity is somewhat aroused to know what that other branch is.

Mr. MYERS. I am afraid that if I gratified the Senator's curiosity it might deflect him from the thread of his argument; so I will not take sufficient time to do so now.

Mr. BURTON. Very well.

In conclusion on this item, I wish to say that we never have acquired one of those abandoned or run-down canals or public works but that the expense has been far and away beyond our computations. In the year 1896 I was a member of the Rivers and Harbors Committee, and we acquired the improvement in the Monongahela River. We paid for it the sum of \$3,600,000. I know members of the committee felt a little afraid to do that; they felt they were paying a pretty large price; but there was a very large traffic on the river, and the acquisition of the Monongahela River Improvement Co. was very strenuously insisted upon. So we ordered a survey, which, as is usually the case, resulted in a very sanguine report upon it, and the bill was passed. So soon as the property was taken over by the Government it developed that the amount we paid was virtually for the franchise. If there is a lock and dam there that we have not had to rebuild since that time, I do not know what it is. We found the work that was there was almost useless. Boats could go through, but they were not up to date, and in order to have a really well-equipped or well-provided channel for navigation it was necessary to rebuild every one of the locks and dams.

Down at the mouth of the Brazos River we took over by free gift certain improvements in the harbor there, made by a private company. It was thought that certainly was a good bargain; but there has been a very considerable amount of expenditure there, and I think the transaction was an unprofitable one. We took over the Port Arthur Canal, and I question very much whether that was profitable, though it seemed desirable in view of the fact that there was a very large port at the end of the canal which was doing a large amount of business.

The Chesapeake & Delaware Canal is many years old. According to the testimony read by the Senator from Iowa, portions of it are very much run down; and it is probable that the expenditure of \$8,000,000, which is put down as the probable cost, will be far from sufficient to rehabilitate it and place it in proper condition.

Mr. President, in any era when retrenchment is desired it would be hard to find an item on which the pruning knife could fall more appropriately than on this one of \$2,250,000. Indeed, at any time—flush times as well as those that are lean—it seems to me the acquisition of this private property is a very bad speculation for the United States Government. Let us wait until we see whether a few more of these inland waterways, such as the canal across Cape Cod, which is in a position far more adapted to aid commerce, prove successful.

Mr. KENYON. Mr. President, does not the Senator think it will arouse the enthusiasm of the American people to have a war tax levied, in part going to pay for this broken-down canal that is being unloaded on the Government?

Mr. BURTON. I do not think it will awaken very much enthusiasm. I do not think it will awaken very much enthusiasm even right here in the Senate. I presume it will awaken a great deal of enthusiasm among the members of an association that is promoting this purchase and enormously expensive improvements. Why, the duty on numerous and important commodities would be insufficient to pay the amount required here.

Mr. KENYON. Mr. President, if the Senator will permit me—

Mr. BURTON. Certainly.

Mr. KENYON. I do not want to delay the Senator, but I was about to refer to the bulletin of the Atlantic Deeper Waterways Association.

Mr. BURTON. As it is in this connection, I have no objection, if it throws any light on the subject.

Mr. KENYON. I think it does.

Mr. SMITH of Michigan. Is that the intention—to throw light?

Mr. BURTON. Yes; I want light thrown on it.

Mr. KENYON. In this bulletin, discussing the Chesapeake & Delaware Canal valuation—I do not know whom this article is by—it says:

The Senate committee's valuation of \$2,100,000 for the property, it will be noted, is in excess of the valuation arrived at by three different methods and, furthermore, does not require the conversion of the company's contingent fund into its assets before sale of the property.

Valuing these assets, together with the Senate committee's excess allowance, it results that a sum of approximately \$100,000 is turned back into the company's treasury for satisfaction of its claims, or for distribution among its stockholders, if that disposition should be decided upon. The present outstanding stock issue is \$1,903,238, so that it would be possible to allow about 5 per cent on the stock, and this is more than any stockholder could claim his securities to be worth, as they have received no dividends since 1876.

That is an argument that is advanced by the Atlantic Deeper Waterways Association, evidently to the stockholders, as to the good bargain they are making by turning this canal over to the Government.

Mr. BURTON. Mr. President, on a multitude of grounds I think it is best to postpone any further steps for the acquisition of this canal at this time.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Ohio a question.

Mr. BURTON. Certainly.

Mr. SMITH of Michigan. Admittedly there are a number of projects provided for in this bill that are praiseworthy and in need of immediate appropriation. Has the Senator from Ohio computed the appropriations for this class of projects, so that he is able to say to his colleagues in the Senate how much he would be willing to see appropriated for the improvement of rivers and harbors in a bill to be immediately presented for the consideration of the Senate?

Mr. BURTON. Mr. President, answering my friend the Senator from Michigan, I do not think it is quite for me to do at this time. The statement has been made by the advocates of this bill that the whole bill must be considered and passed here in the Senate.

Mr. SMITH of Michigan. Yes; but if the whole bill is not passed—

Mr. BURTON. And it is perfectly manifest that the moment you begin to criticize any item, immediately a storm of protest comes up, proving what I have repeatedly said, that in a river and harbor bill it is the objectionable items that have the strongest support, and not those that should appeal to the whole people.

Mr. SMITH of Michigan. Would the Senator from Ohio be willing to indicate specifically such items in the bill as should, in his judgment, be eliminated, and permit us to go on with the balance of the bill?

Mr. BURTON. I am pointing out some of them now. Here is a little item of \$2,250,000 that I think might very profitably be stricken out.

Mr. SMITH of Michigan. Entirely?

Mr. BURTON. Yes; entirely. Then, again, the item for the inland waterway from Norfolk to Beaufort Inlet, N. C., I do not think is quite fair. It benefits only a comparatively small number of people. They already have 9 or 10 foot channels, and the proposal is to give 12 feet only, an increase of 2 or 3 feet. They have \$832,000 on hand, and I do not think they ought to ask for an extra \$600,000 in this bill. It does not seem to me it is quite fair.

Mr. SMITH of Michigan. That is \$2,600,000. If we could pass the balance of the bill, we would make some headway, and would appropriate for worthy projects that are really meritorious and deserve immediate attention.

Mr. BURTON. Oh, but I have not gotten through yet. There are some more besides that, which I will come to one by one.

Mr. SMITH of Michigan. For instance, coming right to the point, what item in the Michigan appropriation would the Senator eliminate?

Mr. BURTON. I have not really thoroughly examined the Michigan items yet. I do not want to ask anybody to favor my contention in this matter, but I was about to say that I do not think there are objectionable items in the State of Michigan.

Mr. SMITH of Michigan. I am very glad to hear that.

Mr. BURTON. But I want to carry this out on the ground of the propriety of the bill, without making any compromise

with anybody, and without going to any man and saying, "Now, your items are all right." I am not going to do that.

Mr. SMITH of Michigan. The Senator started with his own State. He said he was perfectly willing that some of the items in his own State should be cut down.

Mr. BURTON. I am.

Mr. SMITH of Michigan. The Senator starts fairly. Now, if we could make some headway we could get this bill out of the way, and avoid the necessity of a protracted session, when really Members have been here so long and so constantly, including the Senator from Ohio, that it seems almost outrageous to keep them here any longer. Can we not agree upon a common ground, and at least get that much of the bill through?

Mr. BURTON. Mr. President, propositions have come from others to pick out items; but in the first place I am somewhat reluctant to do that, and in the next place I notice that the moment I pick out an item, immediately in the House and in the Senate there is a force that bristles up and is all the stronger for the bill and the whole bill exactly as it is; so I do not quite see why that is a judicious policy. I am pointing out, however, what seems to me among the most vicious items in the bill.

Mr. SHEPPARD. Mr. President—

Mr. BURTON. I shall be glad to yield to the Senator from Texas.

Mr. SHEPPARD. Why would it not be fair to take up the bill, discuss each item on its merits, and vote on each? I will say to the Senator that if I can not demonstrate that the items in my State to which he objects are proper items, I am entirely willing to see them go out. If the Senate does not approve of them I want them to go out; but I ask him to let us vote on these items. Let us take up the items and vote on them.

Mr. BURTON. I have no doubt the Senator from Texas with the utmost good faith would favor the items in his State. I think they are so rank that they smell to heaven, some of them. I really think I could prove to a dispassionate audience that such is the case.

Mr. SHEPPARD. Mr. President, I am glad the Senator does not say they smell to the other place. I am glad the smell does not extend downward.

Mr. BURTON. I am afraid, possibly, I might have used the other expression with equal propriety.

Mr. SHEPPARD. I am thankful that the Senator did not say it; but would it not be the fair thing to take up these items and vote on them?

Mr. BURTON. Well, now, let us consider that. I am perfectly frank to say that we must all recognize this is a representative Government. The will of the majority must prevail; but in arguing with several persons who have had more or less to do with this bill, I found just this situation:

"What do you think of such-and-such an item?" "Well, I will admit that is bad." "How under the sun did it get into this bill, then?" "Oh, this is a representative Government."

The remark was made, "If this bill is as bad as it has been said to be on the floor of the Senate, it ought to be indicted by the grand jury." "Well, I expect that is about so; I expect everything that was said about it is true, but a majority wanted it."

Is it quite fair to Members of the Senate who have this pressure behind them, the demand that they shall vote for projects which their own judgment would not approve at all, to say, "We will throw the bill into the Senate and take a vote on every item"? Very likely before we are through the opponents of this bill will present a measure as a substitute for the whole bill, or they will make some proposition of that kind. That would not necessarily involve the permanent condemnation of the items left out, but it would involve the conclusion of the Senate that it had better postpone consideration of them, at least for the present; that they are not so urgent that they ought to pass now, and that perhaps we had better consider them further.

Now, I know my friend from Texas is acting entirely in good faith in thinking that the Texas items are all right. I thought so once myself of some of them, but upon a riper consideration I came to an entirely different conclusion, and I do not think the bill ought to be tolerated unless there is some change in it in regard to the Texas items.

Mr. SHEPPARD. Does not the Senator think we ought to have an opportunity to vote on the Texas items?

Mr. BURTON. I do not know; that is a hard question to answer. I think the first thing we ought to do about the two main Texas items is to wait until we know something about them. Why, the Chief of Engineers came before us and was utterly unable to state whether or not there would be water

enough to manage your locks and dams. We are going ahead under a project calling for 37 locks and dams on the Trinity, to cost, perhaps, \$170,000 apiece. They may cost three times that amount or twice that amount. There is a survey in progress now.

Mr. SHEPPARD. I am perfectly willing to leave it to a vote of the Senate.

Mr. BURTON. Ought we not to have the same rule that we have in regard to other projects—

Mr. SHEPPARD. Yes; I want to have the same rule.

Mr. BURTON (continuing). That we have a report from the Board of Engineers, made under present conditions, as to them? Your report on the Trinity would not pass muster for a moment in the House or in the Senate in these days. It was a mere reconnaissance. It was made in the old days before we had the board of review. Ought we not to wait until the report which is now in progress is finished?

Mr. SHEPPARD. Suppose we have the Senate vote on the proposition as to whether we shall wait or not. The Senator from Ohio does not even want to give us a chance to vote on the proposition which he has himself advanced.

Mr. BURTON. Oh, there will be an opportunity to vote before we get through here.

Mr. SHEPPARD. The Senator evidently wants to choke off any decision by the Senate on any individual item.

Mr. BURTON. Oh, no; but I hear so many persons in Congress say, "I do not believe in the bill; it is altogether bad, but my State or my district demands that I vote for it," that it makes me feel like making a much more elaborate exploitation of the bill than would be the case if I thought every man voted according to his own individual judgment.

Mr. SMITH of Michigan. Mr. President, if the Senator will permit me—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Michigan?

Mr. BURTON. Certainly.

Mr. SMITH of Michigan. I should like to make a suggestion. I do it upon my own responsibility. I am not going to ask unanimous consent to pass the Michigan items in this bill, although I do not believe there is any objection at all to them, but any Member of this body who has given the matter any thought at all knows that we will soon be without a quorum in this Chamber. In fact, I have no hope at all that we will have a quorum in this Chamber after Monday or Tuesday. If the Senator from Ohio continues to occupy the attention of the Senate with his very elaborate and intelligent and able discussion of this bill for many days longer, we are going to be at the mercy of any single Member of the body, if we pass the bill at all.

Would the Senator from Ohio be willing that we should proceed with the bill, if we had no quorum, by unanimous consent? We can only adopt these items by unanimous consent. As far as I am concerned, I would be perfectly willing now that the Members present this afternoon should take up the bill item by item, without a quorum, and, if there is any Senator in the Chamber who objects to any single item, that we should pass on then to the consideration of the next item. I dare say that if that was done in the Committee on Commerce, where there was no cloture, where debate was unlimited, where the members of the subcommittee, and the committee itself, had ample authority to dwell upon every item in the bill as long as they chose to do so, it is equally applicable here.

If the Senator from Ohio is willing to allow us to proceed with the undisputed items, we will have a bill here of some proportions, and perhaps we will do no injustice to any deserving project, and perhaps we may eliminate some projects which for the time being we can afford to hold in abeyance.

Mr. KENYON. Does the Senator mean to consider items unobjected to?

Mr. SMITH of Michigan. I do.

Mr. KENYON. And pass them?

Mr. SMITH of Michigan. And pass them.

Mr. KENYON. Very good.

Mr. SMITH of Michigan. The Senator from Iowa says "very good." Why can we not proceed in that way? Let me ask the Senator from North Carolina [Mr. SIMMONS], who is the ranking majority Member present on the floor this afternoon, as I happen to be the ranking minority Member on this side, why we can not proceed now with the undisputed items in the bill and make some progress rather than be held here to listen to a dissertation, no matter how wise, on the bill as a whole?

Mr. SIMMONS. For the simple reason that we would make no headway by proceeding in that way.

Mr. SMITH of Michigan. We can make headway.

Mr. SIMMONS. Merely going over the bill and agreeing to items that are not disputed would not advance this legislation one particle. I think the best course for us to pursue, and the only course, is to take up the bill in the regular way, let the amendments proposed by the committee be first considered, and when that is done if any Senator wants to strike out an item of the bill let him make his motion to strike out the item and let us act upon it.

Mr. SMITH of Michigan. But suppose we have no quorum and the point is made that we have no quorum; then your entire bill is arrested.

Mr. SIMMONS. There is no more reason why the point of no quorum should be made when the bill is considered in the regular way than when it is considered in the irregular way the Senator now proposes.

Mr. SMITH of Michigan. The point has been made several times this afternoon, and it will be made several times tomorrow, and if we have a night session to-night we will not be able to get a quorum here to do the business. Why may we not take up the undisputed items and make some headway?

Mr. SIMMONS. After we have taken up the undisputed items there will be probably one-third of the bill unacted upon.

Mr. SMITH of Michigan. No; because—

Mr. SIMMONS. If the Senator does not see it, I see it. That is clear to my mind.

Mr. SMITH of Michigan. Let me suggest to the Senator from North Carolina that, sitting beside the Senator from Ohio in the committee, I do not recall his objection to 5 per cent of the items in the bill. If no other Senator objects and 5 per cent of the items are left unacted upon, we have in the river and harbor bill projects that are deserving, which are not to suffer the fate that I think awaits them.

Mr. SIMMONS. The Senator from Ohio has understood all along that if he would specify the items to which he objects he can have a vote of the Senate upon those items whenever he asks.

Mr. BURTON. Mr. President, the question must ultimately be decided by the Senate. I think I had better discuss the matter of these projects pretty thoroughly before that. I do not find myself able to ignore the fact that persons tell me they are utterly opposed to the bill but they are going to vote for it, and even going further than that, expressing the hope that the bill will be beaten; but if it comes to a vote, they will vote for it. What is my duty under those circumstances? It is certainly to discuss the bill with thoroughness and care.

I want the vote, whatever it is, to be a fair expression of the individual judgment of the Senate. Do you believe, Senators, in any such river and harbor bill as this? Do you believe in that \$2,250,000 for the buying of the Chesapeake & Delaware Canal, that defunct corporation with a defunct and played-out canal, when there is to be expended upon it a further amount up to \$8,000,000?

I come to another item here. Do you believe in that appropriation of \$4,500,000 for the Cumberland River, for which there is only \$340,000 appropriated in this bill? If this was a matter of your own personal business, would you favor anything of that kind?

I have noticed the course of this river and harbor legislation now for nearly 20 years, and I say a situation has been reached at which it requires radical treatment. It is perhaps the last chance I will have to discuss the river and harbor bill, but I am not going out of the Senate without doing what seems to be my full duty. My own State is about as badly hit as any State in the Union on lake and river, but I do not intend to allow that to influence my judgment.

There came here a fusillade of letters and telegrams. That is all very worthy of attention, but there is a principle involved. There is a question of the expenditure of public moneys that should receive the conscientious, careful judgment of every Member of the Senate.

I am perfectly aware that others who give this probably equal care come to different conclusions, but let us argue this out thoroughly. Let us have no hasty vote. We have made mistakes in the past. Are we going to make worse mistakes in this bill right here? What is the principle you are going to adopt in your river and harbor bills? Because A. B. C. and D ask anything that the engineers have reported, must it be incorporated in legislation? I say no.

One of the worst features of the whole situation is that the Engineer Corps have lost that conservatism and care which at one time possessed them and prevented them recommending projects which are not worthy of improvement. They are too likely to be attracted by plans which involve the skillful construction of forms of masonry, and their attention to a careful proportion between the expense and the results is diminished.

There is one thing I want to say about this bill which rests primarily with the other side. It is a question for the majority to decide, I think. Do you want all these new projects in this bill to go in at this time? It is a question that is in a measure nonpartisan, but if you are desiring to diminish appropriations, which, as I understand, have already reached the figure of \$50,000,000 in excess of any previous year in the history of the Government, it is perfectly obvious that there is an easy way to diminish them by taking up this bill and striking out new projects which are not urgent in their nature. There are millions that could be saved in that way. Formerly, at least in the first decade, at any rate, of this century, it was not customary to take an engineer's report and appropriate in accordance with his recommendations immediately. It was thought best to provide for some older projects, to take them in the order of importance, and other things being equal, the older project would be finished before a newer one would be commenced. But in this bill the policy is adopted of taking a favorable report while it is still warm off the press, before the maps are printed, and incorporating the item in this bill. I think that is a bad policy. There is an excellent chance to save a good deal by the adoption of a different rule.

Just see what danger of mistake there is. A report would come in, say, on the 30th of April, right from the Public Printer. They would not have had time to lithograph the maps before it would come to the Committee on Commerce. On the 1st day of May the amount recommended there—it does not matter whether it be \$500,000 or more—would be incorporated in the bill as an amendment. That is no proper way of doing business. There ought to be an interval for deliberation. In my judgment, many of the worst items found here are among the new projects.

I take up one now—the Cumberland River above Nashville. There are a certain number of locks and dams already above Nashville, and it is proposed to build 10 more. If I may have a pointer, I want to point to a very characteristic feature of that river. It is here [indicating]. Locks and dams are constructed from Nashville up to the town of Carthage here [indicating]. Just notice how crooked it is from there up to Carthage. There is no through traffic past Nashville. Products are gathered up in that river there and taken to Nashville and near-by points. It is proposed to expend \$4,500,000.

Mr. President, if I could have the attention of the Senate while I present facts and figures, I am confident I could demonstrate that, as regards the higher grades of freight, it would be cheaper to carry every pound that can possibly be presented by autotruck rather than by a canal and pay interest on the investment. It is navigable for an average of six months each year already. One of the arguments in favor of spending the four and a half millions is that it is more profitable to the farmers if they can bring down their hogs a month or two earlier than they can bring them down on the boats in the high water. They may not be able to send them on the high water until about the 15th of December or the 1st of January, but if it was locked and dammed they could send them in October or earlier, and they would have to feed them less time and could get better prices for them. There is not a large amount of live stock there. It is one of the portions of the country where the traffic on a river, I believe, has increased somewhat.

Now, let us notice the history of that alleged improvement. Not very long ago an order was made for a survey. The district engineer distinctly and conclusively reported against it. He said it was not desirable. What happened? The Committee on Rivers and Harbors passed a resolution asking the board of review to make another survey and report upon it, and the very man who had reported against it before now made a favorable report. It is stated that Senator So-and-so and Representative So-and-so—I do not want to refer flippantly to my colleagues—appeared in force before that board of review, I think 6, 8, or 10 of them, and the result was a change from an unfavorable report to a favorable one.

Here is another very singular feature of it. A Member of the House—a prominent one—advocated this improvement, but he asked for only three locks and dams in that section. In the report of the River and Harbor Committee document it appears that such and such an association asked for three, and he concurs in that report. But what did this board of review do? They recommended ten. You will have to change that sentence in the Scriptures—

And whosoever shall compel thee to go a mile, go with him twain—

And make it read—

And whosoever shall compel thee to go with him such and such a distance, go with him all the way to Kentucky.

Three locks and dams were recommended in the first instance. That is all that were asked, and this report comes in here recommending ten.

The division engineer, Col. Newcomer, one of the ablest engineers in the service, recommends that the work be not done unless the States of Tennessee and Kentucky pay half the amount. There is already a chain in which I do not believe you can break a link. It is cheaper to transport all the better class freight by autotruck than to make this improvement.

Mr. LEA of Tennessee. Will the Senator yield to me for a question?

Mr. BURTON. In just a minute. The river can be used for a good share of the year without any locks and dams; the benefits especially pertain to that locality, so that one of the engineers recommended that it be not done at all and another that half be paid by the locality.

Now, then, here is a bill to expend \$340,000, and that is not the worst of it. The Congress did not have the courage to face the whole proposition. It put in only \$340,000, but so sure as one dollar is appropriated it means, before you are through with it, \$4,500,000. I yield to the Senator from Tennessee.

Mr. LEA of Tennessee. I will say to the Senator I certainly hope Congress will eventually make the entire appropriation suggested by the report. I do not think the Senator has been quite fair to the upper Cumberland section. It is one of the most rapidly growing and developing parts of the State. It has diversified interests and products to be shipped and marketed. There are but few, if any, railroads in the greater part of that section, and the topography of the country is such that railroads can not be constructed at a cost which will be profitable nor can roads be built at a reasonable cost over which an autotruck can go.

The improvement of the upper Cumberland received one of its greatest impetuses when the Senator from Ohio was chairman of the Rivers and Harbors Committee of the House.

Mr. BURTON. The history of it is that there were a certain number constructed above Nashville and the request was made for a reexamination. I am frank to say that it was expected that the report would be unfavorable, but it came in a form in which it was favorable to the improvement, and the committee at that time adopted the recommendation, but they never thought there would be any request to go beyond those now constructed.

Mr. LEA of Tennessee. Nor do I think that the Senator has been quite fair to the engineer in charge. In effect he has charged that the engineer changed an unfavorable report to a favorable report on account of political influence. I do not know of anything in the reports or hearings which would justify such a charge.

Mr. BURTON. I do not want to say that it was on account of political influence.

Mr. LEA of Tennessee. What else does the Senator mean in suggesting that Senators and Representatives were present?

Mr. BURTON. I have no doubt but that between the time when the engineer made his first report and the time when he made his second report he maintained the most amicable relations with a considerable number of Senators and Representatives, and their names are given, I believe, in the list in the report. I am not sure that I do justice to the local engineer. Perhaps the Senators and Representatives did not call on him. I am sure that they called on the board of review.

Mr. LEA of Tennessee. The Senators and Representatives did call on the board of review in behalf of this project. I do not think the report shows anything about any kind of relation, amicable or otherwise, with the engineer or board of review during the time the report was being prepared. The fact remains that the engineer and board made a more careful and fuller examination than originally, and then realized the necessity of this section of the country having some means of transportation, and that river transportation was the only available means.

Mr. BURTON. There is another factor at Nashville—the Booster Club. I think it is very properly named. They brought all their boosters, their heavy siege guns, to bear on behalf of this improvement, and no doubt that was a considerable factor in the change of judgment.

Mr. LEA of Tennessee. Let me interrupt the Senator just a moment. That club is composed of the very best and most representative of business men and shippers of Nashville, who wanted, of course, to sell and receive products from that section of the country, and, having no other means of transportation for these commodities, the reason for their interest and activity in behalf of the development of this, the only available highway, is manifest. In so appearing before committees and before the board of review and in urging this project this organization was within its rights, and if the Senator suggests any other kind of influence I think he does this club the same injustice as he does the engineer in charge.

Mr. BURTON. The name presents a sort of implication that they are rather active in booming the locality there and it presents an implication that they have not that very great degree of responsibility in regard to the expenditure of the public money which has characterized the model city of Nashville.

Mr. President, this comes in here for the first time, \$340,000 now, and four million and a half. I can not attach quite so little importance to that change of mind. It seems to me very surprising—I have not the exact minutes before me, but at a later time I will try to give them—that the engineer should enumerate the population and the freight along a stretch of the river and report against it, and then within a year make another report in favor of it.

What confidence can we place in such reports if you can play shuttlecock and battledore with them in that way—one way one portion of the year and another way another portion of the year?

Mr. JONES. Did the local engineer report adversely on this proposition?

Mr. BURTON. Certainly.

Mr. JONES. Did the district engineer report adversely on it?

Mr. BURTON. I am not so sure that that followed. I think maybe it was dropped after the local engineer reported.

Mr. JONES. I did not know but that the district engineer would go before the Board of Engineers.

Mr. BURTON. I am not sure in regard to that; but it is likely they requested him to make a further examination.

Mr. JONES. I merely wanted to find out. I know how those things go, and I wanted to see whether it was a reversal all along the line.

Mr. BURTON. I do not think so. I think it was only a reversal as to the district engineer.

Mr. LEA of Tennessee. If the Senator will permit me a moment, I will say that I think there was a favorable report from the district engineer prior to February, 1914.

Mr. BURTON. When was the report against it?

Mr. LEA of Tennessee. My recollection is that that was two years before; I am not absolutely certain as to that. I think, however, it was a different district engineer. There have been three changes recently in the engineering force. Maj. Harts was originally in charge at Nashville; then Maj. Jadwin and now Maj. Burgess. This project has the approval of Maj. Burgess, the district engineer.

Mr. BURTON. Is he the only one who has approved it, and was his approval before the board reported on it?

Mr. LEA of Tennessee. The report of the district engineer was approved by the Board of Engineers.

Mr. BURTON. It is possible the engineer I refer to is not the same district engineer.

Mr. LEA of Tennessee. My recollection is very clear at this time that Maj. Burgess never reported unfavorably on this project.

Mr. JONES. Has this project been before the Board of Engineers once or twice?

Mr. LEA of Tennessee. I think it was before the Board of Engineers twice.

Mr. JONES. Did the Board of Engineers turn it down the first time it was before them?

Mr. LEA of Tennessee. It approved the report of the district engineer.

Mr. JONES. Then it was sent back to the district engineer and he changed his report from unfavorable to favorable?

Mr. LEA of Tennessee. I do not think so. The second report was made after a more careful investigation.

Mr. JONES. It was made by a different district engineer, but there was a favorable report. Then it came before the Board of Engineers and they approved it?

Mr. LEA of Tennessee. It approved the project and the Committee on Commerce of the Senate has approved it.

Mr. BURTON. I ask the Senator from Tennessee if he has the report to which he refers before him?

Mr. LEA of Tennessee. I have not just now, but if I can get it, I will put all the facts into the Record.

Mr. JONES. If that is correct, there has been a reversal all along the line.

Mr. LEA of Tennessee. The Board of Engineers followed the district engineer both times.

Mr. BURTON. I am not quite sure that that is the case, but I think we had better have the report.

Mr. LEA of Tennessee. I should like for the report to go into the Record.

Mr. BURTON. Mr. President, I want to say in this connection that it is practically impossible to obtain an adequate supply of these River and Harbor Committee reports. There

was only a limited number printed, and after a year or so, when they become very important, while they have been exceedingly courteous over there, I find it difficult to obtain any copies at all. They are not like the reports of the Board of Engineers made to Congress, which are printed and bound as public documents.

Here is a place, Mr. President, where, while personally I do not believe that the project ought to be taken up, there is an excellent chance to save money now by omitting this appropriation of \$340,000; and, query, whether it would not be better to reexamine the whole thing, for I have come to the conclusion that we must have some other kind of examination, something to supplement the methods that are now in vogue. How can you blame the engineers? They have been overruled many times in the years that have passed; when they reported against a project they were told by action, if not in words, "You had better change your minds and report in favor of it"; and their action was overruled. So they came at last to the conclusion, as Gen. Bixby, I think, said in some address, that from the very origin of the engineers they have regarded themselves as peculiar servants of Congress.

Mr. RANDELL. Mr. President, will the Senator yield for a question?

Mr. BURTON. I will.

Mr. RANDELL. The Senator has stated that the engineers have been overruled so often that they have practically lost their independence. I understand that is the substance of the Senator's remarks. Will not the Senator be kind enough to tell us the cases in which they have been overruled and the number of times they have been overruled. I was a member of the Rivers and Harbors Committee of the other House with the Senator from Ohio for a great many years, and I have been on the Commerce Committee with him for the two years I have been in the Senate, and I recall very few instances where we have even asked the engineers for a reexamination of a project, and certainly very few cases in which we have overruled them.

Mr. BURTON. Let me give two cases right out of memory. On the Brazos River and the Trinity River above the fork, near Dallas, the Sabine and Neches to Beaumont and Orange, they reported distinctly against the project. They were ordered to go ahead and make another report. Indeed, in this case of Cape Lookout, the first survey was not friendly, but there was a request made that they report as to which was the better locality, Cape Lookout or Cape Hatteras.

Mr. SHEPPARD. Will the Senator allow me to correct him? As to the Beaumont project—that is, the Sabine-Neches project—the engineers who made an unfavorable report were not ordered to make another report.

Mr. BURTON. But the Engineer Corps was. There was an order made to the Engineer Corps, which we consider as an entirety.

Mr. SHEPPARD. They were not ordered to make a favorable report.

Mr. BURTON. Under the circumstances the order meant that.

Mr. SHEPPARD. The same engineers did not consider the project the second time; a special board was convened composed of different engineers, who went into the project thoroughly and made a favorable report.

Mr. BURTON. If anyone can read that series of orders and reports of Congress without coming to the conclusion that it is a direct snub to the men, virtually a censure, he is entitled to all the satisfaction that he can get from it. The engineers are not so lacking in sensitiveness that they did not see the significance of the action of Congress; and the Senate was not so lacking in the perception of the matter that it did not see what was the intention. The Senator from Texas will find a discussion of the subject, in which I myself took part some two or three years ago, that will make it clear.

Mr. RANDELL. Will the Senator yield for a further question?

Mr. BURTON. I will.

Mr. RANDELL. The Senator from Ohio has named four cases in which he says the engineers were practically snubbed. I do not so understand it. In the case of the Brazos improvement we did act without a specific recommendation from the Engineer Corps; but, as I recall, they gave us all the facts and allowed us to exercise our own discretion without making recommendations pro or con. But I ask the Senator, now, if we have not in this bill 137 surveys ordered, and if we have not had quite a number of surveys ordered in every river and harbor bill that has been adopted for years? There really have been thousands of surveys ordered and acted upon by the engineers in the last 10 or 15 years, and out of those thousands he

mentions four, and says we have snubbed the engineers so often that we have broken their spirit. Mr. President and Senators, the Engineer Corps is the grandest body of men in the United States; there is no more independent body of men than the engineers of the Army, the honor men of West Point, the picked men of our Army. They are absolutely independent of Congress; they do not get any political appointments through us or through anybody else; they hold their positions for life and retire on a splendid salary when they get to be 64 years of age; and yet the Senator tells us we have bulldozed and broken the spirit of these engineers because we acted adversely to them in four out of thousands of instances. He has named four. It is so ridiculous on its face that I am surprised that a man of his great ability should attempt to make the Senate believe any such thing.

Mr. BURTON. Mr. President, I recognize the desirability of the kind of argument in which the Senator from Louisiana has indulged. It is an excellent plan to praise the engineers; it is an excellent plan to speak of their independence. No one has defended them quite so frequently as I have on the floor of the Senate. I have not indulged in anything fulsome; I have the highest confidence in their integrity; but if the Senator had been a careful student of the course of legislation on this subject he would know that their attitude upon this matter has changed very materially in the last 5 or 10 years, and he would know that the main reason has been the attitude of Congress.

It is true I have only named four projects in which they have been overruled, but again and again you will find instances, I think right in this bill, where they have been ordered to make a survey and have reported adversely, and when they have been asked to report upon it again have reversed their position. As one of them remarked to me, "I have got to do what the Representatives and Senators want or I will lose my job."

Mr. RANDELL. Mr. President, will the Senator tell us how a United States Army engineer can lose his job?

Mr. BURTON. He thought so; I do not know.

Mr. RANDELL. I wish the Senator would explain that matter. He is a trained legislator, and he knows we have nothing to do with them; we do not appoint them; and how could an Engineer officer lose his job through the efforts of a Senator, unless he became the one single solitary scandal in the whole Engineer Corps and achieved a reputation such as that of Capt. Carter? If he did, he might lose his job, but not otherwise. It is not in the power of a Senator to secure his removal; it would take an act of Congress to put one of these men out of his position.

Mr. BURTON. It is not the fear alone of losing his position or rank of major or something of that kind, but the possibility of promotion, his standing with Congress and with the civil authorities of the Government is involved.

I think, Mr. President, hereafter I will have to speak a little more freely on this subject. I have gone far out of my way to explain the actions of the engineers in some instances. That has been due largely to the old friendships of past years; but if there is so much offense taken on that ground there are other lines affecting Congress with reference to these improvements that I can follow, and I think hereafter, since those who defend the corps are so very earnest here when I endeavor to make it easier for them, that I will leave that out and speak of the merits.

Mr. LEA of Tennessee. Mr. President, will the Senator yield to me for a moment, that I may make an observation with reference to the Cumberland River?

Mr. BURTON. Certainly.

Mr. LEA of Tennessee. I will take only a moment of the Senator's time, because I know he is in a hurry to finish his remarks.

Referring to the report of 1912, I want to read an extract from the report of Maj. Burgess:

36. By way of a summary, my conclusions are:

(a) That in view of the fact that this part of the river is already in fair navigable condition for nearly six months per year, and of the great cost of completing the slack-water system, as well as for the other reasons cited above, it is advisable to defer the completion of the system until an increased use of the present facilities shows more plainly that the expense of the completion will be justified by the probable use which will be made of the improved river;

(b) That it is not at present advisable to construct one or more locks and dams above Lock No. 7; and

(c) That whenever provision is made for one or more locks and dams it be with a view toward the early completion of the entire system.

When the report for 1913 was made it was with a view of taking up and completing at an early date the entire project or system. I should like now to read a part of the report of the Chief of Engineers.

Mr. BURTON. I will inquire what the Senator is about to read? Is it the river and harbor document?

Mr. LEA of Tennessee. The report on the river and harbor bill, page 224:

For reasons fully explained in its report of February 4, 1914, the board concurs with the district officer in the opinion that it is advisable for the United States to undertake the improvement of the Cumberland River from Lock 7 to Lock 21 by the construction of 10 locks and dams, at an estimated cost of \$4,500,000 for the construction and about \$50,000 annually for operation and maintenance: *Provided, however*, That the States, counties, or other local agencies shall bind themselves to protect the United States against any and all claims for damages due to overflow, the project to be subject to such minor modifications from time to time by the Chief of Engineers as experience with the work may indicate to be advisable. The division engineer is of opinion that the improvement should not be undertaken except on the condition that the States of Kentucky and Tennessee or the local communities shall contribute one-half of the estimated cost of construction.

And the appropriation in the pending bill is on condition that the stipulations provided for in this document are to be complied with. This shows the district engineer has not reversed himself.

Mr. BURTON. Do I understand the Senator from Tennessee to state that under the provision as it is in this bill the States of Tennessee and Kentucky, or the localities must pay half of the expense?

Mr. LEA of Tennessee. My statement was only that the provision complies with the conditions set forth in the report which I have read. On page 47 of the bill you will find:

Improving Cumberland River above Nashville, Tenn., in accordance with the recommendation of the Chief of Engineers and the Board of Engineers for Rivers and Harbors, printed in Rivers and Harbors Committee Document No. 10, Sixty-third Congress, second session, and subject to the conditions set forth in said document, \$340,000.

Mr. BURTON. What does that mean?

Mr. LEA of Tennessee. If the Senator will pardon me a moment, what I started to say was that the district engineer did not reverse himself. In 1912 he did not advocate taking up and building only one or more locks. His idea was that the whole system should be taken up, with an idea of completing at an early date the entire project. The next year he recommended that, and that is the recommendation which has had the approval, first of the division engineer and the Board of Review, and then of the Chief of Engineers; so that I think the district engineer, the division engineer, the Board of Review, and the Chief of Engineers are consistent in now advocating the project.

The piecemeal method was not advocated originally. I understand an entire system—a complete project—is what the Senator desires. He wishes these projects to be taken up as a whole, as an entirety, and not in piecemeal or a dribbling way, as he expresses it. The district engineer and the division engineer have merely met the Senator's point of view in making this recommendation with a view at an early date of taking up the entire system of development for the upper Cumberland.

Mr. BURTON. When No 1 is objectionable that does not make 1 to 10 altogether desirable.

Mr. LEA of Tennessee. No; but, if the Senator from Ohio will pardon me, the district engineer has never said that No. 1 of itself was undesirable, but merely that the No. 1 alone, without an idea of completing the entire project, was undesirable.

Mr. BURTON. It is some time since I have read that report, Mr. President, and, of course, I have not read it with the immediate personal interest which the Senator from Tennessee has read it, but I can not agree with him that there was no reversal of opinion. The arguments and reasons against the project were all so pronounced that I think clearly there has been a reversal. There was a change.

Mr. LEA of Tennessee. May I ask the Senator one question further? There being a marked difference of opinion between himself and engineering bodies—the Engineer Board of Review and Chief of Engineers—which constitute a bulwark between Congress and the Treasury, as to the desirability of this work, does he not think that the Senate is entitled to vote upon that question and let the majority of the Senate decide who is right?

Mr. BURTON. Yes; if they vote according to their own particular views upon the subject. No; if they vote under compulsion, or because they think the State demands it.

Mr. LEA of Tennessee. Will the Senator name any Senator whom he thinks will vote for this bill under such compulsion?

Mr. BURTON. Oh, I would not want to do that.

Mr. LEA of Tennessee. I do not think the roll would be so long as to make the Senator's remarks unduly lengthy.

Mr. BURTON. I should like to ask the Senator from Tennessee a question upon that subject. Does he understand that this reservation on page 47 means that half the cost should be paid by the States of Kentucky and Tennessee?

Mr. LEA of Tennessee. No; I do not understand that. I did not intend to say anything to that effect; merely that the

damages that resulted from the overflow should be paid by those States.

Mr. BURTON. So that the recommendation of Col. Newcomer was not complied with.

Mr. LEA of Tennessee. If the Senator will pardon me, the report states on this subject as follows:

Provided, however, That the States, counties, or other local agencies shall bind themselves to protect the United States against any and all claims for damages due to overflow, the project to be subject to such minor modifications from time to time by the Chief of Engineers, as experience with the work may indicate to be advisable.

Now, I do not understand that the provisions of the bill necessarily make those States contribute one-half of the cost of construction. I understand that if it did the Senator from Ohio would be very much opposed to such a provision because I recall many years ago, before I ever came to Congress or dreamed of coming to Congress, reading one of his speeches in which he was very much opposed to any project, except one which was entirely a Government project. The Senator, as I recall, then compared the statistics in regard to English private development and French Government development.

Mr. BURTON. Does the Senator refer to a speech delivered in 1896 in the House of Representatives?

Mr. LEA of Tennessee. I think it was. I thought at the moment it was delivered a little earlier than that, but I believe it was a speech delivered by the Senator in 1896 in the House of Representatives.

Mr. BURTON. I recall having done that.

Mr. LEA of Tennessee. The Senator then took a very strong position against contributions by the local municipal and State authorities; so I thought if there was a condition in this appropriation requiring Kentucky and Tennessee to contribute one-half of the cost of the project, it certainly would encounter the Senator's opposition.

Mr. BURTON. I remember at that time stating the arguments pro and con. One was what the Senator states, that if there were participation injudicious improvements would be less likely to be adopted, and the other was that no improvement ought to be commenced unless it was distinctively national in its nature, and a proper object for appropriation from the National Treasury. That was the line of argument I pursued.

Mr. LEA of Tennessee. That was the line of argument; and then, further, that the National Government should have exclusive control, and if there was this local cooperation there would not be exclusive control over the work by the National Government; that local influences would be potent.

Mr. BURTON. I do not know that I quite hold to that view now.

Mr. LEA of Tennessee. Then I recall that the Senator contrasted the English and the French systems of the development of waterways very much to the advantage of the French system and to the disadvantage of the English system, and gave as the reason that one was a national project and the other was a local project.

Mr. BURTON. I remember that the speech was delivered in April, 1896.

Mr. President, I desire now to make some further examination of the Cumberland River project, as of several others of which I have spoken. I think it will appear that there was a virtual reversal of opinion on it. There is no doubt that the Senator from Tennessee, in reading that, derives from it an opinion that would be obtained from reading the final report; but I think if we read the whole of the report a different conclusion will be reached.

I come now to the Tennessee River. The provision for this has been very materially changed in the Senate. Above Chattanooga, Tenn., the House provision was for \$150,000, and it was changed in the Senate to \$300,000. Between Chattanooga, Tenn., and Browns Island, \$150,000, changed to \$250,000. Between Florence and Riverton, Ala., \$130,000. Below Riverton, Ala., \$120,000, changed to \$250,000. In all, \$930,000.

Mr. President, I hope to have time to give close attention to the Tennessee River. I think to the student of waterway transportation it has an interest little short of fascinating. By considering the different sections of the river you can gain an idea of the relative advantages and disadvantages of a river flowing through a level country and one flowing through a mountainous country, and of still another that is in itself fairly navigable but is shut off by an intermediate section which is mountainous. You can trace the course of traffic, for we have figures there going back to 1890.

There are, briefly speaking, three sections of the Tennessee River. The first is about 216 miles long from the mouth to the town of Riverton, Ala. Then there is a section 238 miles through Alabama and Tennessee to Chattanooga. Then there

is a section of 118 miles, a very crooked section of the river, to Knoxville. This is, of course, the largest of the tributaries of the Ohio, and is really a very important river. There are three or four tendencies which develop here.

In the first place, the high-grade freight is diminishing on all sections of the river. In the next place, the shipment of timber, though showing alternations, is generally tending to diminish. In the next place, particularly in the two upper sections, the tendency is toward a much shorter haul. Formerly, in the upper section, 188 miles in length, there was a large quantity of grain carried. There is a considerable quantity of freight carried there now, but it is mostly marble, carried 3 or 4 miles, or iron ore, carried 15 miles, or sand and gravel, carried 6 to 10 miles. Nearly \$10,000,000 has been expended on that river. The lower portion, something over 200 miles, is the most hopeful portion for improvement.

What is the status of this bill as regards appropriations for this river? In the upper section there is on hand above Chattanooga \$266,000, of which outstanding liabilities amount only to \$9,000. Between Chattanooga and Browns Island, which is another division made here recently, \$208,000; between Florence and Riverton, \$28,000, which, however, is met by outstanding liabilities. In the case of the first two items mentioned—that above Chattanooga and between Chattanooga and Browns Island—almost the total balance is available—over \$200,000.

Until within two or three years past, less than those amounts were annually appropriated for those two sections. Indeed, there was not a demand for more than \$100,000 for the two. We were prosecuting the open-river work in the two, and the completion of the canal and lock at the Colbert and Bee Tree shoals, improving the lower section as best we could, and not seriously contemplating any more ambitious plan for that river. The traffic then was more than it is now. Then commenced a period of larger appropriations and of ambitious projects, and a report was made, to which fuller reference should be made in the Senate, because it states the whole theory of the improvement of rivers. It shows the fallacies which exist. The engineer states, for instance, that the Government can easily borrow money at 2 per cent, and he seems to base his calculations upon that. Then he goes on:

First, there is the estimate for the improvement of the river, on which already nearly \$10,000,000 have been expended. The cost above Chattanooga, including 11 locks and dams—

Why, Mr. President, there is not enough through traffic on that portion of the river to load half a train of cars; and yet the report gave an estimate for 11 locks and dams at the cost of \$11,220,990.

Well, it appears that this was a little too strong a proposition; and so the local engineer—still bearing in mind, I suppose, the idea that the Government could borrow money at 2 per cent—recommends a 3-foot depth and two locks and dams, at an expense of \$3,123,246, in the upper section; in the middle section, \$9,060,441; and in the lower section, \$972,721; in all, an expense of \$13,156,408. Excepting the Muscle Shoals, where the present depth of 5 feet would be retained, the depth in the middle and lower sections, I believe, was to be 6 feet. The cost of maintenance was estimated at \$150,000 per annum.

After the local engineer, along comes the division engineer, Lieut. Col. Warren, and he displays some conservatism. He disapproves the whole plan except the improvement of the lower portion and the open-river improvement of the middle and upper sections.

Then, along comes a fourth—yes; you may say a fifth—proposition; the board. They recommend open-channel improvement above Chattanooga to cost \$1,125,287; Chattanooga to Riverton, except the section from Browns Island to Florence, on which further report is to be made, \$3,596,353; Riverton to the mouth, \$610,586; a total of \$5,332,228.

There you have four estimates or reports; but that is not the last. Along comes the Chief of Engineers, and he makes a different report from any of the rest; and I must say, in looking at the bill, that I do not quite know what to make of it, as to which one of these reports is accepted. I take it for granted it is the report of the Chief of Engineers.

Mr. LEA of Tennessee. Does the Senator object to the entire project or merely to the work above Chattanooga?

Mr. BURTON. I believe now just exactly as I did in the years when I went over the whole river—that it was useless to attempt more than open-channel navigation in the upper and middle portions or in any of it; that is, the lock and dam which was put in at Hales Bar by private parties, at their expense, has improved the navigation very materially. That was a bill which I myself drew in the year 1902, I think, and that gave them permission to develop water power and build the dam and

also the locks, except the metallic equipment, the gates, and so forth.

Mr. LEA of Tennessee. I was under the impression that almost the entire work that had been done below Chattanooga until now had been done under the direction and almost with the care and encouragement of the Senator from Ohio.

Mr. BURTON. Well, it was not, though I have always believed in the lower portion.

Mr. LEA of Tennessee. Does the Senator know exactly the amount that has been expended to date upon the work below Chattanooga?

Mr. BURTON. I can not give the amount just offhand. I should be inclined to think it was about a million dollars. I do not know but that I can turn to that in a moment. That is not where the prospective expense comes in; it is in the middle and the upper sections.

Mr. LEA of Tennessee. I understand that. Certain amounts having been expended, it is the theory of the Government engineers, as I understand, that the amount which has already been expended with the Senator's approval will yield a full return only when this additional amount is expended, so as to give the greatest possible amount of traffic.

Mr. BURTON. Let us look at that for a minute.

Mr. LEA of Tennessee. Moreover, I do not think the engineer is to be ridiculed when he says the Government can borrow money at 2 per cent. If this was a case of a private corporation, and it had made this original expenditure, and by an additional expenditure of the amount estimated, obtaining money at 2 per cent, and the Senator were on the board of directors, I am sure he would vote, as I would vote, for the additional improvement or extension.

Mr. BURTON. The Government never in its history borrowed any money at 2 per cent excepting under an artificial and peculiar arrangement by which the 2 per cent bonds were held by banks as the basis for the issuance of currency. No other Government in the world has ever borrowed money at 2 per cent. Holland, which perhaps is the most favorably located of all, has borrowed perhaps at 3 per cent. The English consols, before the late trouble, drawing $2\frac{1}{2}$ per cent, were selling at 73. That is more than 3 per cent. French 3 per cent consols have ranged all the way from 83 to 93.

Below Riverton the total appropriation to June 30, 1913, was \$854,197. That is an open section, except at Hamburg Landing. There is no part where there is any serious obstruction. My thought always was, Improve that thoroughly first and finish that lock and canal and the Bee Tree shoals and make a certain amount of improvement in the middle of the upper section.

But let us see what the result will be. You have navigation through all except 100 days in the middle section and all except 90 days in the upper, and navigation practically all the year round in the lower. I have the figures, and I will present them to the Senate later. Bear that in mind.

In May, 1899, the Rivers and Harbors Committee went over that river from Knoxville, Tenn., down, and it was a perfectly smooth voyage. There was no trouble whatever in a good-sized boat. The only place where we had any difficulty was at drawbridges, where the men had gone on a vacation, as they said they had not come out for weeks before to open up the draw because there had been no demand for them.

This river, middle, upper, and lower, is navigable year by year for a greater number of days than the channels on the Great Lakes, though the navigable period is irregular.

Now, the Government has been going on and spending money at Muscle Shoals Canal. I instance it so many times, Senators, that I am sorry to refer to it again. Four million six hundred thousand dollars has been expended and \$40,000 to \$60,000 a year for maintenance and less than 6,000 tons of freight go through. That is in the part of the river where there are the greatest obstacles and where an improvement would do the greatest amount of good. The interest and the cost of maintenance practically is as much as the value of all the freight. The commerce consists of some fertilizer, some wheat, and other commodities.

Here is another improvement right down here [indicating] where we spent \$2,100,000. There, even if you compute the interest at 4 per cent and the cost of maintenance, the total would buy every particle of freight presented, except timber that would float in the river without any improvement at all, and float better without the lock.

That is not all. In the face of this the Engineer Corps have been making an estimate of the cost of 11 locks and dams in the upper section, 188 miles, and unless Congress expresses itself, unless we study this subject now, those 11 locks and dams

are coming there just so sure as the communities and boards of trade and their booster clubs ask it.

Mr. KENYON. What would these locks cost?

Mr. BURTON. Eleven million two hundred and twenty thousand dollars.

Mr. LEA of Tennessee. Will the Senator allow me to inquire if this would not require another report.

Mr. BURTON. There is an estimate for them already. They are not recommended, but there is an estimate for them, and a map issued by the corps shows them as projected.

Mr. LEA of Tennessee. The Senator will agree that Congress must act further before such a recommendation could be made.

Mr. BURTON. I do not suppose they are waiting for Congress.

Mr. LEA of Tennessee. Whatever may be the influences charged, Congress must act further. Is not that the fact?

Mr. BURTON. Yes; and if the eloquent and excellent gentlemen who were so plausible to the board of review and Senators and Representatives go before it, as they did about that upper section of the Cumberland River, it is only a little way off.

Mr. LEA of Tennessee. But it requires the action of Congress before there can be another report.

Mr. BURTON. The time is coming for that locality; it is almost here.

Mr. LEA of Tennessee. I certainly trust the Senator is a prophet in that respect.

Mr. BURTON. Unless we overhaul this whole system, it is coming. We know just what the argument will be. They say, "You spent so many million dollars for the Ohio, now you must spend \$30,000,000 for the Tennessee."

I want to call attention to two more things. Without saying a word about a lock and dam, without any mention of anything of that kind, but merely by reference to this document, in the acts of 1912 and 1913 appropriations were made; and what have the engineers done? I did not know it until recently. They spent \$34,000 on a lock and dam at Caney Creek Shoals, in the upper portion, and \$23,000 in a lock down at Browns Island, in the middle. I challenge any Member of the Senate to look through the executive document or report and then take up the bill and see upon what ground those locks and dams were commenced. There is nothing said about any lock and dam in any bill on the subject I have been able to find.

If the Senator from Tennessee, or any other Senator, will show me any reference to Caney Creek Shoals or to Browns Island—it is not Browns Island; that is the name of another island—in any river and harbor act, I will be greatly obliged to him.

The Caney Creek Lock and Dam is to cost \$1,600,000, the one in the middle section \$1,000,000, and I challenge any Member of the Senate to show one tithe of the promise of traffic that would come from the Muscle Shoals Canal and the Colbert Shoals Canal, where it appears that the Government can practically afford to buy every pound of freight that comes there for the interest on the money they have spent and the money for maintenance. Mr. President, it is absurd to the point of monstrosity.

But that is not all. I want to call attention to another thing. One thing can be said for the benefit of the engineers. Whenever there is a lock-and-dam proposition there is an attraction for it that is absolutely irresistible for them. They are in favor of it. More locks and dams; more locks and dams. In the Illinois River and the Hennepin Canal I pointed out what has been done: Seven or eight million dollars, and four-fifths of the freight carried through there is gravel, and so forth, for the upkeep of the canal.

The cost of commercial freight amounts to an unheard-of figure per ton. But they are going bravely on, and every time there is a chance to build a lock and dam they build it.

Mr. KENYON rose.

Mr. BURTON. Now, I want to finish just what I was saying. The engineers recommend that for this Caney Creek Shoals, 22 miles long, the towage rights be paid for in the locality because of the peculiar local interest. It possesses a peculiar local interest. About all that is there is an iron-ore mine, where a man carries to his furnace about 140,000 tons of iron ore a year.

Just look at the absurdity of that proposition. Here is a river 188 miles long, 3 feet deep at extreme low-water depth, 4 feet deep at ordinary low-water depth. Right in the middle of it, 22 miles long, there is a proposition for a pool 25 feet deep at the lower end and 6 feet deep at the upper. Is not that wisdom?

Now, let us see just what happened.

Mr. LEA of Tennessee. If the Senator from Ohio will yield again, the Senator has been very generous to me and I know he is anxious to complete his remarks this afternoon, so I will delay him but a moment. I understood him to say that work on the Caney Creek lock and dam and the Crow Creek lock and dam had been commenced without any warrant in law; that there is nothing in any river and harbor bill authorizing such work.

Mr. BURTON. I should like to see it.

Mr. LEA of Tennessee. I understand the Chief Engineer recommended it in his report.

Mr. BURTON. He recommended it, but where is it in the bill?

Mr. LEA of Tennessee. The bill, by reference to it, incorporated the report of the Chief of Engineers.

Mr. BURTON. In about two or three lines.

Mr. LEA of Tennessee. I will ask the Senator from Ohio has not that been usual and customary in making appropriations for such projects?

Mr. BURTON. I submit, Mr. President, that when it comes to an appropriation for a lock and dam to cost \$1,600,000 and another to cost \$1,000,000 there should be more than two or three lines of reference to a report of 60 or 100 pages. That is not the best way to do business.

Mr. LEA of Tennessee. Has not a great deal of river improvement work in this country been done on exactly the same basis? The appropriation authorizes the work to be done according to the report of the Chief of Engineers, and the reference in the bill to the report is the same as though the report was set out in full.

Mr. BURTON. Let us look at this a minute and see.

Mr. LEA of Tennessee. I think I can show authority for this statement.

Mr. BURTON. What I ask for is a reference in some bill.

Mr. LEA of Tennessee. The rivers and harbors bill refers to the special report of the Chief of Engineers in so many words, and says the work is to be done according to his report, and this is the same as if the report itself were incorporated in the bill.

Mr. BURTON. There are five different estimates. There is first a report on the cost of a 9-foot channel on the lower and middle sections and a 6-foot channel on the upper section. Next there is a report or recommendation of the local engineer and then the recommendation of the district engineer. Those three are widely different. Then, fourthly, the district engineer turns it down entirely. Then there is the recommendation of the board of review, and then the recommendation of the Chief of Engineers, these last two being entirely different. Now, what is the size of that report? Let us see. It is not one of your little modest billet doux of a page or two. It is a document of more than 200 pages and there are five different propositions in it. I suppose the natural inference would be that the last would be adopted. Let us see what the proposition in the last one is. Here he recommends \$2,600,000 for work above Chattanooga, including this lock and dam; \$3,500,000 between Chattanooga and Riverton; and \$600,000 below Riverton, making in all \$6,700,000.

There was \$6,700,000 to be selected from. Why was that money applied in the first instance to the construction of those locks and dams? Was there not plenty of open channel work to be done? Why begin with \$34,000 on one and \$23,000 on another? It came out of the appropriation of perhaps a couple of hundred thousand dollars on a lock and dam, costing \$1,600,000 for one and \$1,000,000 for another. Now, there is one thing which I wish to notice.

Mr. LEA of Tennessee. The Senator realizes that no actual work has been done on the two locks described by him. Only the surveys have been completed. I understand. I do not think even the land for the locks and dams has been acquired by the Government.

Mr. BURTON. Unless there is some prohibition in the bill it will be, surely.

Mr. LEA of Tennessee. Has not the money for these locks and dams been appropriated in the same manner as nearly every dollar of money is appropriated in river and harbor bills each year? Take, for instance, the first item in the pending bill, as I recall it.

Mr. BURTON. That is where there is a small or clearly defined improvement.

Mr. LEA of Tennessee. It reads: "Improving Tenants Harbor, Me. Improvement in accordance with the report submitted in River and Harbors Committee Document No. 12, Sixty-third Congress, second session." There is no other question as to the character or manner of work.

Mr. BURTON. That is dredging out a single channel, a well-defined, thoroughly described project. See how different this is from that. This is a description of a river in three sections worked out at a number of places in each of those sections. It is a proposition for an open channel, a proposition for locks and dams. The whole is complicated.

I want to call the especial attention of the Senate to this: The Chief of Engineers did recommend that, in view of the very considerable local interest, it be made a condition that the flowage rights shall be paid in the locality. Of course, every Senator knows what that means; the water rises somewhat higher along the banks and there is injury. There is not a word about that in your bill. Why come here and say that you are always following the recommendation of the engineers when you left out an item of this kind? And what will it cost? One estimate of the engineers was that the flowage rights would cost \$300,000. The latest estimate was \$450,000. I think if the question of condemning those flowage rights was left to a jury down in that neighborhood they would take a view somewhat like this: "Well, here is the funniest and queerest proposition we ever heard of. The Government is going to spend a million dollars or two here to build a lock and dam. What is this lock and dam for? We are to have it made of fine masonry, but we do not see that it reaches anywhere. We are glad to have a monument down here in east Tennessee. Now, some of our farmer friends are going to have their land overflowed a little. If the Government could afford to do such a foolish thing as to build that lock and dam it ought to pay our farmer friends 5 or 10 times what their property is worth." I do not think it would take any special process of ratiocination or reasoning for them to come to the conclusion that they had better tuck it onto our genial Uncle Sam in a pretty vigorous way. So these same flowage rights might cost a million. The original estimate was \$300,000, the intermediate estimate \$450,000.

I called somebody's attention to this as a matter that ought to be rectified. Yes; but why did it come in here in the first instance with that valuable suggestion of the engineer left out making an expense to the Government of the United States of possibly \$1,000,000?

I trust, Mr. President, this lock and dam will not be completed; that it will stop right here; but be that as it may, this is an oversight which shows how carefully this bill ought to be revised.

Mr. President, I come next to another specimen of extravagance in this bill that might readily be remedied, a portion of the Mississippi River to which I have several times before called the attention of the Senate—that part of the river between the mouth of the Missouri and the mouth of the Ohio. I should like to have some one take up these facts and figures and justify the appropriation of \$1,000,000 for that part of the river. At the time of the World's Fair the Rivers and Harbors Committee thought there was going to be great development there, and so we made a provision in 1902, I believe it was, for \$650,000 a year for four years. One year I think the traffic was fairly good, but it soon began to diminish.

So, when we came together in 1907, we concluded that \$250,000 a year was enough for that stretch of the river, and that dredging was practically all the work that it was necessary to do. That amount was appropriated, and was ample to maintain an 8-foot depth in the river, ample to maintain every demand of navigation. An officer of the Army told me he went down the river twice a year and never had a complaint that the navigable capacity was insufficient. Some men were complaining that their land was not properly protected, or something of that kind, but he never heard of a complaint about the depth or width of the channel. So, now, for some 10 years that 8 feet has been maintained, but the traffic has diminished practically every year.

I want to repeat some figures that I gave here some time ago. The House bill and the Senate bill have \$1,000,000 for this stretch of the river, 206 miles in length. In 1881 the estimate of the cost of obtaining a channel 8 feet in depth was \$16,397,500. To June 30, 1913, the amount expended in seeking to obtain this 8-foot channel was \$15,574,425, nearly all of which was expended after the estimate of 1881—that is, there was an estimate that it would require \$16,000,000 or so to secure an 8-foot channel, and on that there was expended to June 30, 1913, \$15,574,425. On June 30, 1913, the estimated cost of obtaining an 8-foot channel from St. Louis to Cairo was \$18,570,574, or \$2,000,000 more than the estimate of 1881.

What an absurdity that all is! We have spent \$15,000,000 on it, and the cost of obtaining an 8-foot channel is estimated at \$2,000,000 more than it was 30 years ago, and the capsheaf of

the absurdity is that you have had an 8-foot channel now for the last 10 years. I hope somebody will explain it.

The proportion of the total traffic at St. Louis in 1881 was far greater on the river than it is now, perhaps fifty times as great. The traffic handled during last year was 265,720 tons, which is about half as much as it was in the days when we were appropriating only \$250,000 a year, seven years ago. Then it was valued at twice as much, and was nearly twice as much in quantity. We are now appropriating \$4 for every ton of commerce, and more than half of that freight is coal brought from Pittsburgh to one single concern in St. Louis. Mr. President, while I am not absolutely familiar with the rate per ton on coal, I am satisfied that \$3.25 would pay the freight on every ton of that coal by rail from the mine to the factory, 75 cents a ton less than we are paying on the average for maintaining a depth of 8 feet, when you have had 8 feet for 10 years.

Here is another feature to which I want to call attention. On June 13 last there was a balance on hand of \$375,736. Why is any more money needed for that improvement? Is not that a place to economize in this time when our fellow citizens are economizing, when many fear that a pinch will be on them? Is it not well that we should abate so absurd, so extravagant, so wasteful an appropriation as the \$1,000,000 that is proposed for this stretch of river?

Mr. SMITH of Michigan. Mr. President, I should like to renew my effort which was so futile a while ago.

Mr. BURTON. Mr. President, I should like to have something to say about that. Does the Senator from Michigan desire to ask a question?

Mr. SMITH of Michigan. I merely wish to interrupt the Senator for a moment, with his consent, to ask whether or not we can not come to some arrangement whereby the undisputed items in this bill, about which no special fault is being found, can be passed, and when an item is objected to, for any reason, let that item be put over? After we have finished the undisputed items in the bill, so that we may know just where we stand, then we can direct our attention to what remains; and by that process come to a better understanding, and with less delay, and prevent real damage resulting to projects which ought to have immediate attention. I think in that way we may make some real progress.

Mr. GALLINGER. How would it do to recommit the bill, and give the committee another opportunity to consider it in the light of what has developed?

Mr. SMITH of Michigan. Well, Mr. President, the committee has worked diligently on this bill.

Mr. GALLINGER. Yes; but they had not the enlightenment then that they have had since.

Mr. SMITH of Michigan. We had all the light that has been thrown on the bill through the discussion.

Mr. BURTON. Mr. President, I object to that; I do not want to have my remarks for this whole day so remorselessly crushed by a single sentence as that.

Mr. SMITH of Michigan. I mean it as a compliment to the Senator from Ohio. I mean that in the committee we were fully informed from day to day by experts.

Mr. GALLINGER. By the Senator from Ohio?

Mr. SMITH of Michigan. Yes; by the Senator from Ohio and the engineers.

Mr. BURTON. That is not quite correct. In the last two or three weeks I was not there at all.

Mr. SMITH of Michigan. When the Senator was not there we were rudderless and did nothing of importance. The bill was completed before he went away, except as to a very few items.

Mr. BURTON. Oh, the committee did business while I was away.

Mr. SMITH of Michigan. I think I got in a little item for Arcadia, amounting to \$25,000, which the Senator from Ohio does not oppose; he knows that the project has merit.

Now, I speak as a member of the Committee on Commerce—and there does not happen to be any other member here except the Senator from Ohio. We will make progress with this bill if we can come to an understanding that the bill shall be read item by item, and where there is no objection that the item shall be adopted, and where there is objection that it be segregated; so that we may find out where we stand. Why should not this be done? I tell you, Senators, if past experience is worth anything at all, you are going to drift with this discussion to the point where you will not have a quorum, and you must then take up this bill by unanimous consent or you can not take it up at all.

Mr. GALLINGER. Which would not be an unmixed evil.

Mr. SMITH of Michigan. That comes with very good grace from the Senator from New Hampshire, whose projects were

completed long ago, while he was a member of the Committee on Commerce.

Mr. GALLINGER. We never had any.

Mr. SMITH of Michigan. And who now speaks from a position of unusual advantage over his fellow Members from other States, who were not so fortunate as to be on that committee earlier.

Mr. SIMMONS. Mr. President, the Senator does not mean to say that as soon as the Senator from New Hampshire got all of his projects completed he resigned or retired from the committee?

Mr. SMITH of Michigan. He has been vigilant in guarding the interests of New Hampshire, and I honor him for it. If New Hampshire has appreciated his untiring efforts she will keep him where he is for the remainder of his life.

Mr. GALLINGER. That is remarkably fine.

Mr. SMITH of Michigan. Then, so long as that is unanimous, I hope the Senator will let me proceed. [Laughter.]

Mr. GALLINGER. I feel constrained to do so; but I only want to ask the Senator if he heard the observation made sotto voce by the distinguished Senator from Indiana [Mr. KERN] a moment ago?

Mr. SMITH of Michigan. If I listened to all the observations made sotto voce by the Senator from Indiana my entire time would be taken up in trying to compose the manifold displeasures of this hour.

Mr. GALLINGER. I take my seat.

Mr. SMITH of Michigan. We started with Ohio this morning—

Mr. FLETCHER. Let me suggest to the Senator from Michigan that the proposition he makes involves the idea that any single objection made to a particular item would dispose of the item; so that we would be placed entirely at the hands of any Senator who objected.

Mr. SMITH of Michigan. Oh, no; but if we drift into the position where we have not a quorum to do business, we will have to take it that way or not get it at all.

Now, I want to say one word further, and then I will subside. The Senator from Ohio started this morning very generously by saying that he would cut down any of the items in Ohio that seemed to be a little extravagant.

Mr. BURTON. No; they are not extravagant.

Mr. SMITH of Michigan. Well, unnecessary.

Mr. BURTON. Well, Mr. President, they are not unnecessary, either, because the Ohio projects affect an enormous traffic; but in a reform bill of this kind, just as charity has got to begin at home, the disposition to diminish the amount has got to begin at home also. The Ohio River, I think, can stand some decrease.

Mr. SMITH of Michigan. Now, Mr. President, we can agree on Ohio. The Senator from Ohio said publicly this morning that there was not an appropriation in this bill for any harbor or river in Michigan to which he objected.

Mr. BURTON. I might discover some.

Mr. SMITH of Michigan. But the Senator is now foreclosed from doing so.

Mr. BURTON. Not altogether.

Mr. SMITH of Michigan. Yes; the Senator from Ohio is foreclosed.

Mr. BURTON. No; there is a sober second thought. However, there is not very much up in Michigan in this line anyway.

Mr. SMITH of Michigan. We have got a good deal of water commerce up there.

Mr. BURTON. Except through channels that concern New York and Pennsylvania and Ohio on the other side of the Lakes, the Soo, and the Detroit River, and they all affect the portion above and below.

Mr. SMITH of Michigan. They are national—even international—in character.

Mr. BURTON. Yes; we certainly should be very considerate of anything in Michigan, because it really concerns us a great deal more than it does you.

Mr. SMITH of Michigan. Well, the Senator from Ohio has always been considerate of Michigan; and I want to say in this presence this afternoon that the Michigan items in the bill now being discussed would not now be there if it had not been for the Senator from Ohio, and I give him full credit for it.

Now, we have got past Ohio and Michigan; and if we were operating under an agreement to proceed with other States in the manner I have indicated we would soon find that only a very small percentage of this bill is really the subject of proper criticism, and as to that proportion we must either take the judgment of expert engineers who have given the matter careful thought and review or we must take the judgment of the

skilled pilot of this entire scheme, the Senator from Ohio. If we should be operating here without a quorum next week, we would be in just the situation that it seems we are in now.

Mr. WILLIAMS. Mr. President, what makes the Senator from Michigan think we will be operating without a quorum next week?

Mr. SMITH of Michigan. Because I do not know of anything to keep Senators here except this bill. You are going to-morrow to have your inquisitorial tax message from the President; and if you do as you have always done with everything the President has suggested, you will swallow it to-morrow night in caucus, and then all Senators on the other side will be released from the administration's program.

Mr. WILLIAMS. I do not know about that.

Mr. SMITH of Michigan. You will all be released then from the administration's program, and there will be nothing left unfinished on the calendar except the rivers and harbors bill.

Mr. WILLIAMS. That is part of the Democratic program.

Mr. SMITH of Michigan. If you reach that situation, then Senators who are not interested in the rivers and harbors bill will depart for their homes, feeling that their absence will be more effective than their presence.

Mr. WILLIAMS. We can bring them back by the Sergeant at Arms.

Mr. SMITH of Michigan. No, Mr. President; you can not bring Senators back from their homes; it has never been done; I do not recall an instance where it has been done.

Mr. WILLIAMS. It can be done.

Mr. SMITH of Michigan. Well, it will not be done to pass a river and harbor bill.

Mr. WILLIAMS. I do not know about that.

Mr. SMITH of Michigan. Because the Senate will not send subpoenas for absent Senators for that purpose. If the administration wanted to further inflict damage upon the country, that would be a different situation.

Mr. BORAH. The Senator from Mississippi just suggested that this is an administration measure.

Mr. SMITH of Michigan. The river and harbor bill?

Mr. BORAH. Yes.

Mr. THOMAS. No; he said it was a Democratic measure.

Mr. BORAH. What is the difference between an administration measure and a Democratic measure?

Mr. THOMAS. All Democrats are not for this bill.

Mr. SMITH of Michigan. I will answer the Senator from Idaho. One is a matter of impulse and the other is a matter of necessity.

Mr. LEWIS. Mr. President, may I ask the Senator from Michigan a question?

Mr. SMITH of Michigan. Certainly.

Mr. LEWIS. May I ask the Senator from Michigan a question to ascertain if I gather his suggestion correctly? Does the Senator from Michigan suggest that the bill be read and that as we reach a debatable item that the item then be debated until it is concluded, or that we lay aside every debatable item until the uncontested items are disposed of and then take up all the debatable items as though they were one bill? Is that the theory?

Mr. SMITH of Michigan. No. I would take those items out of the bill and segregate them for the time being, and after we have passed on the undisputed items, then every Senator will know the items about which there is a controversy; and you will be surprised, Senators, to see how few in number they will be to excite such controversy. I hope that some agreement may be made.

Mr. LEWIS. Then, Mr. President, the Senator would not dispose of each debatable item as it was reached, but would have each debatable item laid aside, all the items which were not debatable disposed of, and then enter upon the consideration of the debatable and disputable ones?

Mr. SMITH of Michigan. Yes. If the Senator from Illinois will listen to me for a moment, the undisputed items can be passed here to-morrow. Saturday morning we can enter upon the disputed items. If the Senator from Ohio finds fault with the Tennessee River item, he may not wish to arrest that improvement altogether. He may say: "I am willing that a lock and dam shall be built at this point, but I am not willing that half a dozen locks and dams shall be built at another point." If the Senator from Ohio says it will cost \$250,000 to build a lock and dam at this point, and is willing, we have accomplished that much, have we not? That is more than we will accomplish if this discussion runs into next week without a quorum here to do business, when all that is required is for some recalcitrant Senator to rise and announce, "Mr. President, there is no quorum present."

I want to save this bill. There is much of merit in it. Do not tell me that men like Senator BURTON, Senator NELSON, and Senator PERKINS on this side of the Chamber, and men like Senators MARTIN of Virginia, CHAMBERLAIN, CLARKE of Arkansas, SIMMONS, FLETCHER, BANKHEAD, VARDAMAN, SHEPPARD, and RANDELL upon the other side, have perpetrated any wrong in this bill. They have not done it. The truth is that nineteen-twentieths of this bill must be enacted into law, or injustice will be done to the projects now under way and previously authorized.

Mr. BORAH. Mr. President—

Mr. SMITH of Michigan. I have enough confidence in those who oppose the bill as a whole to believe that they will meet the situation in a spirit of fairness and justice to the communities affected.

Mr. SIMMONS. Mr. President, I do not know whether the Senator means it or not, but what he has said has rather given the impression to my mind that he would be willing to pass those items that are agreed to by unanimous consent, and if necessary throw overboard those items that are objected to.

Mr. SMITH of Michigan. No.

Mr. SIMMONS. I do not know that he meant that.

Mr. SMITH of Michigan. No; I would not throw those items overboard, because I do not object to them; but the Senate may then pass upon those items in their own way, and they will know how many there are, and they will know how much they aggregate. If we do not do this, just as surely as we are sitting here this afternoon some one will come forward with an emergency bill as a substitute for the rivers and harbors bill, carrying twenty or thirty million dollars, to cover the exigencies of coming months, and you will have to meet that situation.

Mr. SIMMONS. I do not entertain the pessimistic views that the Senator expresses. I have, myself, no doubt about our ability to maintain a quorum during the consideration of this bill, and until the bill is disposed of. I think there are enough Senators here who are in favor of this legislation to stay here until we have finished our discussion, and until we are ready to vote. From conferences I have had with Senators who are opposed to various items in the bill, I do not believe there is any disposition on their part to filibuster, or certainly not to an unreasonable degree. I think it is their purpose to carry on this general debate until they have finished what they desire to say to the Senate and to the country. I do not believe there are many speeches to be made while the bill is undergoing general discussion. My information is that probably there will be about three rather extended speeches—two in addition to that of the Senator from Ohio—upon this side of the Chamber, and probably not more than two on the other side of the Chamber, and those two probably will not occupy three hours. Then we will take up the bill.

I am perfectly willing that we shall adopt the same course of procedure in dealing with this bill that we did in dealing with the tariff measure. The Senator will remember that the procedure then was this: We took up the bill item by item. If any Senator, when an item was reached, asked that that item be passed over, it was done. After we had gone through the bill, then we went back and took up for consideration the items that had been passed over.

Of course that did not mean that we passed over every item that Senators did not approve. It meant that we passed over the items that they expressly requested should be passed over. When an item was reached about which there was difference of opinion—and that was true with respect to a large majority of the items probably—we discussed it, and acted upon it after discussion. I am willing to pursue that course, and I think that is the proper course.

Mr. GALLINGER. But, Mr. President, general debate had preceded that agreement.

Mr. SIMMONS. Yes.

Mr. GALLINGER. We are right at the beginning of this general debate.

Mr. SIMMONS. We are right in the midst of the general debate. That was after the general debate had been concluded.

Mr. GALLINGER. Yes.

Mr. SIMMONS. I have just said that I thought there probably would not be more than five speeches, so far as I am advised now, which would occupy any considerable length of time in general debate. Then we will take up the bill to be disposed of item by item, and if any Senator asks that an item go over we will let it go over. That is the course we have pursued here before with reference to bills of this character, and I think we shall make the best progress by following that course.

Mr. SMITH of Michigan. Mr. President, in my own right, and assuming responsibility for my request, I am going to proffer a unanimous-consent request—that beginning to-morrow

at 11 o'clock the bill be taken up and read item by item, and that when there is no objection to an item it be passed, and that when there is an objection the item be segregated and set aside until the completion of the bill.

Mr. BURTON. Mr. President, I did not yield for parliamentary procedure. I yielded for a dialogue here, which no doubt has been more or less illuminating as to the prospect of making a disposition of this bill. I can not yield for a request of the kind proposed by the Senator from Michigan. If there is anyone who wishes to express his opinions here as to what can be done, what method can be adopted to promote an early disposition of this bill, I shall be glad to listen to it; but I do not want to be put off the floor, as would happen if this were done.

Mr. SMITH of Michigan. Oh, no.

Mr. BURTON. I think it would.

Mr. SMITH of Michigan. I did not aspire to do that, because the moment we come to a disputed item the Senator can take the floor in his own right. I have not sought to terminate the Senator's speech. He can go on, and the moment an item is objected to he can rise and discuss it.

Mr. SIMMONS. The Senator understands that if he makes his motion this evening we will have to stop and call a quorum.

Mr. BURTON. I do not think I can yield for that purpose.

Mr. SMITH of Michigan. I do not want to assume to make a request in the Senator's time if he objects, because, of course, his objection to my request would nullify it; but I am going to insist, whenever an opportunity presents itself, that we get to work on this bill and get as much of it as is objectionable out of the way.

Mr. BURTON. Mr. President, there is an appropriation here of \$1,500,000 for the section of the river extending from the mouth of the Missouri to St. Paul, 658 miles in length. I put this on an entirely different basis from the portion of 206 miles between the mouth of the Missouri and the mouth of the Ohio. It is longer, the traffic is greater, and the prospect for traffic is more hopeful.

I regard this amount of \$1,500,000, however, in view of the lateness of the season, as altogether more than is required for this stretch of the river. It would seem to me that this appropriation could be cut in two, and perhaps reduced even to a lower figure than that. I am not very hopeful about what will come of an improvement of that section of the river. It appears from some statistics here that the average haul in the 658 miles is only 31.6 miles. A great quantity of logs and lumber formerly floated here, and caused the maximum of the traffic in about the year 1885; but the river is too important to neglect entirely, and I think what should be appropriated here is a matter for consideration.

RECESS.

Mr. KERN. Mr. President, will the Senator from Ohio yield for a motion to take a recess?

Mr. BURTON. Do we want a recess or an adjournment?

Mr. KERN. A recess.

Mr. BURTON. Very well.

Mr. KERN. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 52 minutes p. m., Thursday, September 3, 1914) the Senate took a recess until to-morrow, Friday, September 4, 1914, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, September 3, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art ever present and abundantly able to uphold, sustain, and guide those who seek to serve Thee, help us to realize that the highest service we can render is a true and faithful service to mankind to the end that ignorance, vice, and crime, sorrow and suffering may be diminished, and intelligence, industry, honesty, sobriety, and every manly virtue increased; strengthen us, we beseech Thee, that we may thus bear one another's burdens and so fulfill the law of Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES.

Mr. UNDERWOOD. Mr. Speaker, the President of the United States has advised me that he desires to communicate with Congress to-morrow. I therefore offer the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution. The Clerk read as follows:

House concurrent resolution 47.

Resolved by the House of Representatives (the Senate concurring). That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 4th day of September, 1914, at 12.30 o'clock in the afternoon for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 6113. An act to authorize the closing to navigation of Swan Creek, in the city of Toledo, Ohio; and

S. 5075. An act to provide for the erection of a public building at Prescott, in the State of Arizona.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 330. Joint resolution to amend an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved April 24, 1914.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 17442. An act to amend section 103 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the acts of Congress approved March 3, 1913, and June 6, 1914.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV. Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5075. An act to provide for the erection of a public building at Prescott, in the State of Arizona; to the Committee on Public Buildings and Grounds.

S. 6113. An act to authorize the closing to navigation of Swan Creek in the city of Toledo, Ohio; to the Committee on Interstate and Foreign Commerce.

RAILWAY MAIL PAY.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that I may address the House for 15 minutes on the subject of railway mail pay and the criticisms of the Post Office Department made through the report of the commission.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for 15 minutes on the subject of railway mail pay and the criticisms of the department made by means of the report. Is there objection?

Mr. MOORE. Mr. Speaker, I wish to rise to a question of personal privilege.

The SPEAKER. After this is disposed of. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SLAYDEN. Mr. Speaker, I rise for the purpose of asking the privilege of making a speech referring to the cotton depression in the South and some proposed remedies, which I do not think will take more than six minutes of the time of the House.

The SPEAKER. When does the gentleman from Texas wish to make his speech?

Mr. SLAYDEN. Any time that I can get the time.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for 10 minutes on the subject of cotton depression at the close of the remarks of the gentleman from Missouri. Is there objection?

Mr. MANN. What is the request?

The SPEAKER. The gentleman from Texas asks not to exceed 10 minutes in which to address the House, at the conclusion of the remarks of the gentleman from Missouri, on the subject of cotton. The Chair will state that he will first recognize the gentleman from Missouri, then the gentleman from Texas, and then the gentleman from Pennsylvania on the question of personal privilege. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. LLOYD. Mr. Speaker, I wish to call the attention of the House to the report of the Joint Postal Commission on the subject of railway-mail pay, and correct, if I may, some of the impressions that have gone to the country about the action of the Post Office Department in regard to the investigations of the commission, their findings and recommendations.

These have grown out of the statements in the report, made by the chairman of the commission, the Hon. Jonathan Bourne, jr., which reflect upon the officials of the Post Office Department.

The commission is composed of six persons, three of whom were named by the chairman of the Senate Committee on Post Offices and Post Roads, and three were named by the chairman of the House Committee on the Post Office and Post Roads. The then chairman of the Senate committee was Jonathan Bourne, jr., who retired from the Senate March 4, 1913, who appointed himself; Senator Richardson, of Delaware; and Senator BANKHEAD, of Alabama, who is now the chairman of the Post Office Committee. The members of the commission named by the House were JAMES T. LLOYD, of Missouri; WILLIAM E. TUTTLE, JR., of New Jersey; and JOHN W. WEEKS, of Massachusetts, now Senator from that State. It will be observed that at present two members of the commission are Members of the Senate, two are Members of the House, and two are not in official position. The report of the commission is written by Jonathan Bourne, jr., and concurred in by Senator Richardson, but the four Members of Congress who are in more or less touch with the workings of the Post Office Department have all dissented from any statements in the report reflecting upon that department and have made their disapproval a part of the report of the commission.

Any statements made by Jonathan Bourne in the report or through the press, condemning the actions of Secretary Burleson or any official in his department, are his own views and not concurred in by a majority of the commission. Senator Bourne, in my judgment, has been unfair to the Post Office Department in his articles to the press and unjust to the commission in sending out his communications reflecting upon the Post Office Department as chairman of the commission and thus leading the public to believe that they were the views of the commission, when the truth is that no member of the commission indorses his criticisms of the department or its officials, unless it is Senator Richardson, who has been unable to attend but few of the hearings of the commission, and has, on that account, less familiarity with the facts than any member of the commission.

I think it is due the Post Office Department, and the commission as well, to state the situation as I see it, so far as the report of the commission is concerned. On page 19 of the report, Senator Bourne says:

Although in our study of this problem it has been repeatedly intimated that the Post Office Department would not approve any plan that increased railway mail pay, we have not felt that the fact of increasing or decreasing railway mail pay had any bearing whatever upon the duty placed upon us by congressional action. Neither have we felt that Congress intended to appoint us as messenger boys to convey to it the wishes, directions, or threatened opposition of the Post Office Department.

This is a gratuitous statement not justified by the record. The Postmaster General, through his second assistant, has stated that the railroads, in his opinion, were receiving sufficient compensation at the present time, and made several estimates in which he expressed the view that they were probably overpaid, but nowhere in the hearings is any statement or intimation made that the Postmaster General wished to dictate to the commission, control its views, direct its findings, or frame the bill which the commission would recommend. Postmaster General Burleson stated to me that he wished the commission to make a thorough investigation of the subject of railway mail pay, and if it should develop that the railroad companies were underpaid that he wanted the rates fixed so that the railroad companies would receive sufficient compensation; that he wished to deal fairly with them and hoped that the recommendations of the commission would be such that Congress would adopt and settle the question of railway mail pay.

On page 81 of the report Senator Bourne states:

Through the whole bill—

Meaning the Moon bill—

permeates the desire of the Post Office Department for increased dictatorial power.

The commission fully concurs with Senator Bourne in the idea that the rates for railway mail pay should be fixed by Congress and should not be left so they may be changed by the department, and yet there is no warrant for the statement that the Post Office Department is asking additional dictatorial power. Under existing law a maximum rate is fixed, and under the Moon bill, indorsed by the department, the same words are used. The Post Office Department claims that to leave out the words "not exceeding" and make a fixed rate would be curtailing the power of the Post Office Department and would limit their authority to an extent that has never been done before. It is entirely natural that any department would rather have increased power than decreased powers, and it is unfair to re-

flect upon the department official simply because he objects to the limitation of a power which he has heretofore enjoyed. The commission agree, as I stated before, that in this case the power should be limited and the rate fixed, but to advocate a maximum charge, with discretion in the Post Office Department to lower the rates, ought not to be considered any reflection upon the Post Office Department nor any official connected with it.

Senator Bourne, from pages 111 to 122 of the commission's report, seriously criticizes the Post Office Department, in the first instance, because it did not furnish accurate and reliable data, when the truth is that if the Post Office Department had complete data with reference to everything affecting railway-mail pay the appointment of the commission would have been unnecessary. The purpose of the commission was to make investigation and furnish to Congress, the Post Office Department, and to the country such information as would lead to proper legislation, and the securing of accurate data with reference to the whole subject of railway-mail pay. Any reflection upon the Post Office Department for not having the data is unjust and the criticism on account of it is unwarranted. Senator Bourne is apparently unfriendly to the Postmaster General and his official who deals with the subject of railway-mail pay, and the reflection made by him on that department seems to be the result of a disposition to seek revenge, and is not warranted in any particular by the hearings in the case nor by the findings of the commission. Every member of the commission is aware of the fact that the Post Office Department, Interstate Commerce Commission, and the railroads themselves had not the information before them at the time the work of this commission began to determine by accurate statement what were the rights of the railroads and the rights of the Government, and no one could say exactly what should be the rate of railway-mail pay, because there was no definite information upon which any such statement could be based, and no one knows this fact better than Senator Bourne. The Post Office Department did from time to time during the hearings make more or less changed statements, and I am sure that every member of the commission changed his views as facts developed and as information was obtained, and that the final conclusions of the commission were not their views at the time the investigation began. The Post Office Department, as the commission gathered information, changed its views, as it had a right to do, and the data which it gave the commission from time to time was the data which they were able to give at the time the information was asked, and may not have been the same that was given at a previous time on the same subject; but this is no reflection upon the department; it is, in fact, commendatory, because the department kept up with the investigation and took advantage of every fact that was discovered and made use of every opportunity to furnish more accurate statement than theretofore. The work of the commission was a school of education, in which the department, the railroads, and the commission were all students, and the result was a knowledge on the part of all these elements that they did not possess at the time the investigation began. But it is unfair to criticize the Post Office Department because it changed its views without criticizing the representatives of the railroads or the commission for any change in their views.

The Postmaster General had at every hearing of the commission representatives of that department ready to receive information and give to the commission any knowledge it might possess. The commission is under especial obligations to the Post Office Department for the assistance rendered it by the postal officials.

Senator Bourne states on page 120 of the report that—

Unless confronted by the record of its recommendations, we would be loath to believe that any administrative department could presume to ask such a delegation of power from an intelligent, self-respecting legislative body imbued with a fair appreciation of its own functions.

It would seem to me that it would be equally unreasonable that the chairman of the Railway Mail Pay Commission would so far wander away from the facts as developed by the hearings in this case as to enter into serious criticism and abuse of the Post Office Department, which gave more information than was obtained from any other source. It is surprising, too, that a man with the disposition of Senator Bourne would reflect upon anyone for wishing power, for it is safe to say that if he were the Postmaster General there would be as much of dictatorial power shown as has been exhibited by either of the Postmasters General which he criticizes.

I regret that Senator Bourne, in writing the report, allowed himself to discuss his own views of the character of the Post Office Department and its officials rather than to confine himself to the findings of the commission. I wish to say to his credit, however, that in writing the report upon the merits he

has done splendid service. He deserves the commendation of everyone interested in this great subject for the manner in which the investigation was conducted, the success of the commission's work, and the bill it recommends, which, in my judgment, if adopted by the Congress, will settle the question of railway mail pay for many years.

I wish to say, however, before concluding that the Moon bill as it passed the House, in so far as it changes existing law, presents, in the main, the views of the commission, and that aside from the question of discretionary power in the Postmaster General and the adoption of the space basis for pouch mail there is only a slight difference between the provisions of that bill and the views of the commission. The Moon bill and the bill suggested by the commission are similar, and there is no reason why the Post Office Department should be condemned for not accepting in full the provisions of the commission bill any more than the commission should be condemned for not agreeing to all the provisions of the Moon bill. The Moon bill is accepted by the department and supported by the House members of the commission, and is a long step toward the adoption of the complete system recommended by the commission.

I am gratified at the action of the House in accepting so much of the views of the commission as it has, and I believe the commission, the Postmaster General, and the House are to be congratulated on the splendid work that has been done in the passage of the Moon bill, and I hope that this will result in the enactment of a law which will meet the conditions and settle the question of railway mail pay fairly and justly, so that thereafter there may be no serious controversy about it. [Applause.]

COTTON DEPRESSION IN THE SOUTH.

The SPEAKER. The gentleman from Texas is recognized for 10 minutes.

Mr. SLAYDEN. Mr. Speaker, the depression in the cotton trade in the South is almost without precedent. In other times the market value of cotton has been as low as it is now, perhaps lower, but I recall no instance in which the decline in price has been so rapid and so great. In fact, at this time we have no market. Neither buyers nor sellers know what to do. Both are guessing at values, and, as is always the case when we have no sources of information like the exchanges that keep in touch with the trade of the whole world, the buyers try to guess on the safe side. They can hardly be blamed for doing so, for if they do not guess right they will soon get out of the trade through bankruptcy.

We are all desperately anxious to find a remedy for the trouble. We must find one, not merely for the South but for the whole country, for if distress comes to the South all will suffer.

Many remedies have been offered—some of them wise, some doubtful, and some fantastic and foolish. Only one offers any cure for our trouble, for the others do not go to the seat of the disease.

The serious nature of the trouble is disclosed by even the most casual examination of the figures of the cotton trade. These were partly given to the House last Monday by my colleague, Mr. BURGESS. I will add just a brief statement on that point to what he said.

For the fiscal year of 1913, according to the Statistical Abstract, we exported raw cotton to the value of \$547,357,195, and, counting 500 pounds as a bale, we sent to our foreign customers 9,124,591 bales. This exportation represented more than 64 per cent of the total production. We also exported cotton manufactures to the value of \$53,743,977. Thus it will be seen that in one year the South, sometimes referred to in this House as indolent, contributed more than \$600,000,000 to make a favorable trade balance.

Right now we are putting on the market, or would put on the market if one existed, one of the largest cotton crops ever grown. Not to be able to sell it causes the most acute commercial distress. How to find the market we want is the problem we are trying so hard to solve. Quack remedies, absurd nostrums, like some that have been suggested, will not afford relief. Unsound financial schemes will only complicate matters and add to our troubles.

Some gentlemen have misread the symptoms of the malady and jumped to the conclusion that our trouble is one of transportation. They say that ships are not sailing, that there is no cargo room, and that if we could only get our cotton moved to England, France, Germany, and Austria our troubles would be over.

Mr. Speaker, an examination of the shipping columns of newspapers published at American ports shows that the trouble does not lie in that direction. Already fairly regular service between New York and French, English, Italian, Dutch, and

Spanish ports has been reestablished. This is also true of other ports.

On Thursday, the 27th of August, four British ships cleared from Galveston with 1,076,912 bushels of wheat in their holds. That is a fairly good business for one day. The Galveston News, from which I got this information, reported that a number of ships from various English, French, Dutch, Italian, Spanish, and Scandinavian ports were on the way to Galveston and nearing that city.

In the Galveston News of the 28th of August five steamship lines advertised sailings to England and Spain, and in both of those countries much American cotton is consumed.

The New Orleans Times-Picayune of Saturday, August 29, contained this language:

By Monday, August 31, New Orleans will once more be an open port, sending thousands of tons of freight to Europe. The Southern Pacific Railway Co. is accepting freight at New Orleans and Galveston as under normal conditions.

I may say, in passing, that the Illinois Central, which has its southern terminus at New Orleans, is doing the same thing. This New Orleans paper reported 11 vessels in port getting ready to sail for Europe.

What is true of these Gulf ports is no doubt also true of those on the Atlantic.

No, Mr. Speaker; the trouble is not a lack of transportation. It is a much more serious matter. Our trouble now is a lack of buyers.

In the course of my connection with the cotton trade I have known an ordinary business depression to stop millions of spindles in Lancashire alone. Then fancy the depression in business caused by a stupendous and unholy war, which shocks us anew with each issue of the newspapers. The idle spindles in Lancashire which had trade in China can make at any time must be multiplied again and again, not merely in England but in Russia, Germany, Austria, Belgium, and France, where war has come and workers are given over to the destruction of trade.

The President of the United States is the only person in commanding position who has proposed a real remedy for our troubles. Before we can have markets, before we can expect any important and lasting relief, we must persuade our customers to quit killing each other and go to spinning cotton. Mr. Wilson has offered to mediate between the belligerents. He wants to save the lives of these robust youths in Europe who are dying by tens of thousands in a quarrel they did not make. His thought is for humanity, not trade; but in saving the workmen of Europe from destruction in war he will save the South from bankruptcy. He will save the whole country from commercial disaster, for no general prosperity is founded on destruction in any part of the world.

If Europe is to buy our crops her people must be employed. Peace between the warring countries of Europe offers the only solution of our problems. They can not buy our cotton until they earn the money to pay for it, and until normal conditions are reestablished we will be compelled to sell it at an unprofitable price. The battle field is not a satisfactory market place. [Applause.]

QUESTION OF PERSONAL PRIVILEGE.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] rises to a question of personal privilege, which he will state.

Mr. MOORE. Mr. Speaker, the question of privilege arises from the publication of an article in a newspaper relating to my votes as a Member of the House.

The SPEAKER. The gentleman will read the article and the Chair will determine whether it is a privileged question.

Mr. MOORE. The article refers generally to the Pennsylvania Members of Congress. It contains what I believe to be typographical errors; but they do great injustice to the Members of Congress from Pennsylvania, of whom I am one, and it seems to me that it ought to be explained to the Members of the House.

The SPEAKER. The gentleman will either read the article or send it to the desk for the Clerk to read, so that the Chair may pass upon it.

Mr. MOORE. I will send the article up to be read. Mr. Speaker, but to save the time of the House I ask unanimous consent to proceed for 10 minutes on a personal matter.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to speak for 10 minutes on a personal matter. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE. Mr. Speaker, since the passage last week of a resolution docking the Members of the House for being absent from the House there has been widespread publicity of the matter, and every "penny-a-liner" in this country has made

the most of it. Every Member of Congress, whether subject to criticism or not, has been the victim of it. Whether that action of last week was taken in good faith or not, the result has been highly injurious to Members of the House, no matter what their politics, and has caused a good deal of harsh and unnecessary comment reflecting upon an exceedingly hard-worked body of legislators.

There has been no Congress within the memory of men living that has worked harder or more assiduously than has this present Sixty-third Congress. [Applause.] I am not approving all it has done, but I am only stating the truth when I assert there has never been a Congress in which the Members have been driven so hard as they have been in this Congress, nor when the pressure upon them by their constituents at home and by their duties here has been so great; nor has there ever been a Congress when the personal expenses of the Members have been so heavy as they have been in this Congress. We have been driven to the uttermost, many of us almost to the point of nervous prostration, and it is very cheap, indeed, for those who are sitting about in their offices, or who are laboring elsewhere, and enjoying occasional and seasonable vacations, to criticize the Members of Congress who are sweltering here in Washington through the heat of a second summer without a let-up, and who during this particular session have striven for their country as well as for their individual constituencies. [Applause.]

In the Philadelphia Public Ledger of this morning—and the Ledger is a widely read and highly reputable newspaper—the consequences of the publicity given last week by this House to its own alleged imperfections appear in an article in which is given an alleged roll call of the votes cast by the members of the Pennsylvania delegation; and while I believe that the statements contained in this article, so far as they pertain to me, are due wholly to a mixture of the types, for which neither the paper nor the editors would be responsible, still it is made to appear that I have been absent or have failed to vote during the session of Congress 136 times, as against 72 times when I have voted. To those familiar with the Record this statement of alleged absenteeism would scarcely seem possible, but personally I know it to be incorrect. I have not had time to have the Record looked up this morning, but while I am having it looked up I will state that I am absolutely sure the figures as to "Present" and "Absent" are reversed, even if the number of absent times be conceded. I most certainly deny that I have failed to vote twice for one time I have voted, and account for the publication by a mixture of the types, as indicated.

I believe the membership of this House will bear me out in the statement that I have been as loyal in my attendance here as the average Member, and have been as vigorous as the average Member, and, so far as the majority is concerned, have sometimes been as irritating and annoying as any Member. [Laughter and applause.] But in connection with this publication this morning, wherein I believe half of the Pennsylvania delegation are inaccurately reported, the number of failures to vote being placed where the number of votes should be, I want, as a personal matter, to comment very briefly upon another phase of this question, and that is the action of the House itself which provoked this sort of annoyance to Members, and which action I believe to have been a very great blunder on the part of those who brought in the resolution, reflecting, as it does, upon every individual Member of this House.

If I have been absent a few times and have failed to respond to a few roll calls it does not signify that I have been neglecting my duty. On the contrary, it implies that I am actually doing something for my constituents. My absence from a roll call, demanded for political reasons, or through pique, or to establish a quorum, or because of some mere chair warmer in the House, sitting there as a voluntary timekeeper possibly, may have been due to the fact that I was before some committee or up before some department working for my constituents and trying to live up to the duties that I was elected to perform. [Applause.] This is the experience of every busy Member of the House, and the busier he is elsewhere the more he is likely to suffer from these perfunctory and childish roll calls. I do not agree that the man who has absolutely nothing to do but to sit in this House and find fault with his fellow Members is the best Member of the House. It is evident that he has very little to do and that he is performing mighty little service for the constituency that sent him here. If all he does in this House is to say "aye" when the roll is called or to say "no," then that may be a measure of his ability for his constituents, although it is well known that some of the best Members do not figure in the proceedings at all.

Personally—and I say this to illustrate the plight of other Members with regard to these trick roll calls—I missed one

roll call this week on an occasion when I was attending a conference on the Senate side, where our bells do not ring to call us to the House. I was on the business of the House and could not help myself, but for that I was marked up as absent. It is a gross injustice to chide a Member for that. I have missed roll calls several times during the past month because constituents of mine, whose relatives were in Europe and whose lives were in danger, have appealed to me to go to the departments and labor there until I could get some information concerning them or some help to them. This sort of work is constant with Members and accounts for many of the "absents" noted in the roll calls.

When those calls for help and service came to me from my constituents I did not sit in the House and say, "Mr. Speaker, I make the point of no quorum," merely for the sake of getting my name in the Record. [Applause.] But I did get checked up as absent from roll call, though I was on duty and in the service every minute of the time.

From a statement just made up for me by one of the clerks I find with respect to the newspaper tabulation of the Pennsylvania delegation vote that on those so-called and generally misleading roll calls I answered 136 times and failed to answer 74 times. That would indicate the newspaper types were reversed, as I previously stated, but it does not represent "absenteeism" or a neglect of duty. It signifies that on most occasions I did not respond to a meaningless roll call, because I was otherwise attending to the business of my constituents in the departments and before committees, or that I was trying to catch up with my office work, which usually runs into the night. The public ought to know that a Congressman can not be in two places at one time, and that he is the best judge of whether the interests of his constituents lie in his attending to his work outside this Hall or in running back and forth every few hours to prove that he is here. It takes a full hour to go from the House Office Building to the departments and return, and those roll calls for quorum, which are now being so grossly magnified in importance, usually waste a half hour plus another half hour running back and forth to the Office Building. If we are to sit here from 12 o'clock to 6 each day merely to keep up with roll calls, there is little or no opportunity for keeping up with the work of the day.

I shall put in the Record three instances hurriedly selected by my secretary indicating the injustice of judging the record of a Member by these roll-call methods:

On March 17, 1914, Mr. MOORE is recorded as "not voting and paired." The Record of that date, however, on page 5327, shows that Mr. HUMPHREY yielded 20 minutes to Mr. MOORE, who discussed on the floor of the House the President's message to Congress to repeal the Panama Canal tolls act.

On April 10, 1914, Mr. MOORE is recorded as "not voting." The record shows, however, on page 7042, that Mr. MOORE introduced in the House that day a resolution requesting the Secretary of Commerce to take steps to incorporate an "acknowledgment whistle" in the "Rules to Prevent Collisions at Sea."

On May 7 Mr. MOORE is recorded as "not voting and paired" on the motion to recommit the naval appropriation bill with instructions to report on the amendment for one battleship instead of two. The Record discloses, on pages 8549 to 8553 and 8556 to 8558 of that date, that Mr. MOORE took a very lively interest in the debate on the bill and offered several amendments which evoked much discussion.

Thus it appears that although Mr. MOORE was present and performing his duties, some accident or incident called him from the House when the roll call was made.

Now, Mr. Speaker, I mean to say this, that no greater blunder was ever made by statesmen than the passage of this resolution last week, reflecting, as it does, upon Democrat, Republican, and Progressive alike. [Applause.] It is pitiful that men who are capable of big things, who are sent here to perform legislative duties for the greatest Nation on earth, should find it necessary to dock themselves and spy upon themselves and search out each other's records in order that they may shine before the country as saviors of the finances of the Nation at a time when we are going into a deficit of \$100,000,000. Members of Congress are not expected out of their own personal pockets to pay these bills, and I am sure the constituents who sent me here are not satisfied that I shall be docked, when they know that, whether I am in Philadelphia or Washington or elsewhere, I am still watching out for their interests as faithfully as I know how, and much more so than if I merely hung around the House warming the chair in which I sit and responding "yea" or "nay" when the roll is called. [Applause.] And, furthermore, Mr. Speaker, what right has the Sergeant at Arms of this House, one of the men whom I helped to elect—I am elected by the people, and he is elected by you and me to perform his duties here as a servant of this House—what right

has the Sergeant at Arms of this House, and, of course, I speak of him officially, to send you or me a notice telling us that unless we give him a certificate of honor to prove that we have faithfully performed our services, that we have not been absent from this House, no matter what our duties elsewhere, he will cut the salary we have earned and which has been fixed for us by law?

Mr. BATHRICK. Will the gentleman yield?

Mr. MOORE. No; not now, thank you. I want to say to you gentlemen who are either terror stricken or conscience stricken over this situation that the man who signs that certificate as now handed to him by the Sergeant at Arms, with the muzzle of a revolver at your head, on pain that you will be shot before the 4th of September if you do not sign it, that the moment you do sign it, certifying that you have been absent one day in August prior to the 25th, when the resolution was passed, you sign a confession that inasmuch as you are going to give up the one day's pay or the two days' pay or the three days' pay in August which he demands you shall account for—that then, if your conscience is working as strongly after you sign it as it was before, there is not a day's absence since 1856 when the law was passed, and for which some Member has been paid, that should not also be collected. [Applause.] This should apply to the Senate as well as to the House and would involve the greatest possible hardship.

Let these older Members, some of whom have been here from a time "when the memory of man runneth not to the contrary," begin to figure up how many days they have been away since 1856. How many days were you away from this House, gentlemen, when you did not respond to roll calls, prior to the passage of the resolution of August 25 last? And do you believe every Congress has been in error about this matter since 1856? Read the address of the gentleman from South Dakota [Mr. BURKE] in to-day's CONGRESSIONAL RECORD, and I think you will find that your resolution of last week attempts to put into effect a law that has been repealed. At any rate, you are taking chances when you sign up as the Sergeant at Arms requests you to do. Under your resolution he can not help himself; but if you sign that certificate to-day, and admit in that certificate that you shall be docked for one single day in August, then you admit the whole case—that the law of 1856 is in effect and retroactive—and the Sergeant at Arms is liable upon his bond if he does not collect for absences prior to the date of your resolution, and every other Sergeant at Arms who has been in this House since 1856 is practically in default, having permitted previous Congresses to take money out of the Treasury of the United States without warrant of law. If you want to sign this certificate, which I do not yet intend to do, sign it, and you sign up for the dead past.

Personally, I expect to be paid for my services in this long Congress without any deductions whatever. I do not intend to admit I have been negligent in the performance of my duty, for I have not been. If we are to be "docked" at all, some other method than punishing the faithful should be resorted to. [Applause.]

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. EVANS, at the request of Mr. STOUT, for one week, on account of illness.

To Mr. MAHER, for 10 days, on account of illness in his family.

To Mr. NELSON, at the request of Mr. STAFFORD, for 5 days, on account of illness.

SALARY CERTIFICATES.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, the remarks that I feel constrained to make are induced by the closing remarks of the gentleman from Pennsylvania [Mr. MOORE], in which he criticizes the Sergeant at Arms of the House for sending out the certificate which he has sent out. It seems to me, Mr. Speaker, that it is fair to the Sergeant at Arms, who is our employee, as the gentleman says, that at least the viewpoint of myself and some of the others of us should be presented in regard to this certificate. The Sergeant at Arms, Mr. Speaker, is not responsible for the law of 1856. The Sergeant at Arms is not responsible for the passage of the resolution which was adopted a few days ago. This House is responsible for the passage of the resolution, and a past Congress is responsible for the law. The statute—and all gentlemen are familiar with its wording—di-

rects the Sergeant at Arms to deduct salaries of Members for the days when they are absent except for illness. Mr. Gordon did not make that law, Mr. Gordon did not pass this resolution. I submit, Mr. Speaker, that it comes with bad grace from men responsible for the resolution to say that they will not respond to the request of their employee, occupying a responsible official station, that upon their honor they make certification as to their obedience to the law. Mr. Gordon is not omniscient, he is not omnipresent, he has not the force with which to keep in touch and in hourly contact with every Member of this House, even if such a thing would be permitted to be done by the membership. I submit, Mr. Speaker, in justice to the Sergeant at Arms of the House, who has been a faithful official [applause], who has been as courteous a public servant as I have ever met in my life [applause], who has again and again favored Members of this house, every time he was called upon to do it, that he ought not to be blamed.

Mr. MOORE. Mr. Speaker, will the gentleman permit a brief interruption?

Mr. GARRETT of Tennessee. Yes.

Mr. MOORE. I did not intend in any way to reflect upon the Sergeant at Arms personally. The gentleman has mentioned his name, which I did not do, so that now I am privileged to say that I thoroughly agree with the gentleman from Tennessee as to the Sergeant at Arms personally; and I think nearly every Republican Member will agree with me that we have never had a more obliging, more accommodating, or more courteous Sergeant at Arms than Bob Gordon. [Applause.] My regret is that in his official position he has been made by the Democratic leaders to do the most disagreeable thing that he has ever had to do in either his private or his official life. There is nothing that the gentleman from Tennessee can say by way of praise for the present Sergeant at Arms as a capable official and good, clean citizen that I do not heartily indorse. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, the resolution was passed—passed by an overwhelming vote. My recollection is there were only 27 votes against it. I think the most of those votes were upon the Republican side of the House—possibly some on the Democratic; I do not remember—but the particular point I am making is this: That the Sergeant at Arms is not responsible for it, but he is responsible for the execution of the law. What is he to do? Is he to attempt personally to keep in hourly touch with every Member of the House? Shall he disobey the injunction placed upon him by that resolution? If so, what is to be his fate?

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. If I can have a little more time. I see my time is about out.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. I yield to the gentleman from Minnesota.

Mr. MILLER. Mr. Speaker, I wish to heartily concur in everything in commendation of the Sergeant at Arms that the gentleman has stated, but does the gentleman think that the Sergeant at Arms has the legal authority to require any Member to sign that certificate before he pays him any salary?

Mr. GARNER. He certainly has.

Mr. MILLER. I take issue with the gentleman. I would like to have the gentleman from Tennessee discuss that.

Mr. GARRETT of Tennessee. Mr. Speaker, I think he has. But I am going to submit this, and I am going to appeal to the reason and the common sense and the intelligence of the membership of this House whether, under conditions which prevail here, we should descend to technicalities in dealing with one of our officials in the discharge of a duty that we have laid upon him? How else is he to determine, except to place the matter upon the individual honor and responsibility of the Member?

Mr. MADDEN. Let him establish a clock, so that we can ring it when we come in and ring it when we go out. [Laughter.]

Mr. GARRETT of Tennessee. That is facetious.

Mr. MADDEN. Oh, no; it is not. That is the way to keep track of Members, if you are going to do it on the square; if they are working by the hour or the minute, that is what ought to be done.

Mr. GARRETT of Tennessee. Mr. Speaker, I go back to that premise from which I started. The Sergeant at Arms is not responsible for the law, and is not responsible for the resolution. I have no objection, so far as I am concerned, to signing the certificate. It does not humiliate me in the least to sign a certificate stating how many days I have been absent, for

which deduction should be made. That is the law. It is true it has been treated as obsolete for long, long years, but it has been revived by this resolution, and I submit in justice and in fairness to the Sergeant at Arms of the House that he did not make the law. We who are responsible for the passage of the resolution ought not to raise technicalities with him, but we ought to be willing to cooperate and coordinate with him to the extent of our ability in doing that which we have instructed him to do. [Applause.]

Mr. TEMPLE. Mr. Speaker, will the gentleman from Tennessee yield before he takes his seat?

The SPEAKER. Does the gentleman yield?

Mr. GARRETT of Tennessee. I do.

Mr. TEMPLE. Recognizing the responsibility of the Sergeant at Arms for the enforcement of the law, I should like to ask whether he is responsible for its enforcement only since the 25th of August, when this resolution was passed, or should he have enforced it all the time since it has been the law? [Applause on the Republican side.]

Mr. GARRETT of Tennessee. Now, the gentleman's opinion about that is worth just as much as my own. The gentleman knows what the unbroken practice has been for 20 years and more.

Mr. TEMPLE. Yes; but when the gentleman speaks of the law, who has authority to say that the law should not have been enforced previous to the 25th of last month?

Mr. GARRETT of Tennessee. As I say, the gentleman's opinion upon that is worth as much as my own. I addressed myself to the particular matter of which the gentleman from Pennsylvania [Mr. Moore] spoke, and that is all. I do not desire to get into an argument with the gentleman on the matter he raises.

The SPEAKER. The time of the gentleman has expired.

Mr. PROUTY. Mr. Speaker, I ask unanimous consent to address the House for five minutes upon this subject.

Mr. FERRIS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Oklahoma rise?

Mr. FERRIS. Mr. Speaker, I reserve the right to object, which I do not intend to do, but I want to give notice I do intend to object after this. We do not get anywhere with this debate when one says it is and the other says it is not. That is about all there is to it.

The SPEAKER. The gentleman from Iowa asks unanimous consent to address the House for how long?

Mr. PROUTY. For five minutes.

The SPEAKER. For five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. PROUTY. Mr. Speaker, I have listened to this discussion with some interest, as doubtless all of the Members have. Anyone who will give it consideration will know that there is a condition existing that is intolerable. For more than half a century there has been upon the statute books of this Nation a law passed by the Congress for the conduct of its own affairs and the government of its own Members that has been a dead letter, made so by Congress itself. The very fact that we elect the Sergeant at Arms puts him in a situation where he is compelled to obey the will of the House, and the House in turn has left upon the statute books a law that compels him to withhold their pay and yet bring pressure enough to bear upon him so that he does not dare to do it. This resolution that was passed the other day every man well knows has no effect whatever upon that statute. It neither brought it into life nor made it effective. That was a statute that has been on the statute books for more than half a century. Now, all I want to say is this, there is nothing in this country that is more dangerous than allowing to remain upon the statute books laws that we expect officials to disregard. [Applause.] With what grace can we prosecute the great trusts and other organizations that see fit to try to violate the laws of Congress when we are here, every man of us, violating a law we have created for the government of ourselves and put a pressure upon our officers that will not make it possible for them to obey the law we have enacted? Now, I rose for this purpose. I have introduced in Congress, which has been referred to the Committee on the Judiciary, an amendment to this law. This law ought to be so amended that it is rational. Instead of quarreling about whether the Sergeant at Arms will obey we should make the law that we ourselves would obey and expect him to enforce. [Applause.] I just simply rose to call to the attention of this House and the Judiciary Committee that some action ought to be taken by that committee and by the Congress to remedy this objectionable situation. [Applause.]

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, several gentlemen have referred to the Sergeant at Arms as our employee. In a sense that is true, but no more than we are employees of our constituents. The Sergeant at Arms is elected as an officer of the House. He is one of the parts of the House subject to the direction of the House where it does not conflict with the law. He finds upon the statute books an act which was originally passed in 1856, afterwards incorporated in the Revised Statutes, and again passed by the Congress. It has been a dead letter ever since it was originally passed, so far as I know, with a brief exception in the Fifty-third Congress—entitled, probably, to treat it as a dead letter—but the House on last week, against my protest, passed a resolution directing the Sergeant at Arms to enforce that provision of the statute. How can he enforce it? It has put up a problem to the Sergeant at Arms which we must treat from a reasonable standpoint. He is directed to enforce the provision of the statute directing a deduction to be made from the pay of Members for absence unless that absence is on account of illness. What can he do? No Member can draw his salary until the Speaker has certified that his salary is due for the month. That is a provision of the law. The Sergeant at Arms obtains a receipt in advance from Members of the House for their salary. I have the form before me, which I have signed in blank, like all the rest of the Members of the House. What is that receipt? I dare say that few Members of the House could tell what it is. It is a certificate by the Speaker to this effect:

[December, 1914, salary.]

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C.

I certify that there is due to the Hon. _____ six hundred twenty-five dollars, as a Member of the House of Representatives for the Fifty-third Congress.

\$625.

Received payment, _____, Speaker.

The date line is filled out.

Now, the Sergeant at Arms can not pay out a dollar of salary until the Speaker has certified that the salary is due the Member. That is in accordance with the law. He presents these receipts, signed by Members, filled up with the date, to the Speaker for signature. He has to account to the Speaker for the absence of Members under this resolution passed by the House and the law as it stands upon the statute books. He might have insisted that each Member should certify the number of days that he was absent and whether the absence was caused by illness of the Member or illness in his family. But, following the precedent in the Fifty-third Congress, he has issued a courteous form of certificate, leaving to the Members to certify the number of days for absence for which deduction should be made under the law. He has gone the limit to accommodate the Members and leave it to the Members to certify. [Applause.] He might have taken the roll calls and given a man credit for those days when he answered to a roll call and refused to give him credit for any other day, whether there was a roll call on that day or not. That would have been a hardship on the Members of the House. I do not think we are called upon to criticize the Sergeant at Arms. [Applause.] We have placed a hard situation before him. We have directed him to act.

Mr. MADDEN. Will my colleague yield?

Mr. MANN. Certainly.

Mr. MADDEN. Without criticizing the Sergeant at Arms—and I would not criticize him in any way, because I think he is doing his duty, and is forced to do it in a way—I do not recognize his right to require anybody to make a statement.

Mr. MANN. I beg my colleague's pardon. He has no right to require anybody to make a certificate. Any Member of the House is at perfect liberty to decline to make the certificate and await his pay until the Sergeant at Arms otherwise determines whether he is entitled to it or not.

Mr. MADDEN. I would like to ask my colleague further whether, for example, if no roll call was had in the House, the Sergeant at Arms would still have the right to say a Member was not present in the House? A Member's work is more outside of the House than it is in the House.

The SPEAKER. The time of the gentleman from Illinois [Mr. MANN] has expired.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended five minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent that the time of the gentleman from Illinois may be extended five minutes. Is there objection?

There was no objection.

Mr. GARNER. Under the law requiring the Speaker to certify that a Member is entitled to a certain amount of money for services in Congress, would not the Speaker be justified under that law in requiring a Member to certify the number of days absent from attendance in the House?

Mr. MANN. As that matter is not before the House, I do not want to project an opinion on it.

Mr. GARNER. I wanted to call the gentleman's attention to the fact that that is necessary in order to get his salary.

Mr. PAYNE. Is there any law authorizing the Speaker in any manner to sign these certificates?

Mr. MANN. I have not looked the matter up lately; but that is my recollection, namely, that a Member can not draw any money under the law until the Speaker has certified to it. That is the case with reference to mileage and with reference to pay as well.

Mr. PAYNE. My recollection is that there is no law whatsoever justifying the Speaker or requiring him to sign any certificate whatever.

Mr. MANN. The gentleman may be correct, although I do not think he is.

Mr. PAYNE. I want to make another suggestion to the gentleman right here, and that is that I am informed by Members of the Judiciary Committee of the Senate that that committee has had that statute under consideration and have come to the unanimous conclusion that section 40 was repealed by the subsequent salary enactment of Congress and that it has no effect whatever. The committee came to that unanimous conclusion, but filed no report.

Mr. BUTLER, Mr. LLOYD, and Mr. BURKE of South Dakota rose.

The SPEAKER. To whom does the gentleman from Illinois [Mr. MANN] yield?

Mr. MANN. I decline to yield to anybody now. I think it is fair to say that there is a controversy as to whether section 40 has or has not been repealed by the subsequent legislation fixing the salary of Members of Congress and providing for monthly payments. But I do not believe that the Sergeant at Arms, after the House has passed a resolution directing him to enforce the provisions of section 40, would be warranted in refusing to pay any attention to the resolution unless it was perfectly clear that that section has been repealed. But there is a controversy about that.

Mr. BURKE of South Dakota. Mr. Speaker—

Mr. MANN. I yield to the gentleman from South Dakota.

Mr. BURKE of South Dakota. I desire to ask the gentleman from Illinois to explain, if he will, if this law is in effect and these certificates are required that the gentleman refers to, how it happens that when a Member dies his successor draws the salary from the date of the death of the deceased Member, which has been the practice in the House.

Mr. MANN. I know that is an abuse, whatever may have been the law. It is fair to say that if section 40 is now repealed it was repealed at the time the law was enforced in the Fifty-third Congress, because the salary of the Members, while it has been increased since the Fifty-third Congress, the salary had also been increased by a similar provision after the original enactment prior to the Fifty-third Congress. And as I understand, even the gentleman from New York [Mr. PAYNE], then present, who had a deduction made from his salary, and the Speaker, who had a deduction made from his salary, or anyone else who had a deduction made from his salary, brought no claim in the Court of Claims for the salary on the ground that the law was repealed and hence could not be enforced.

Mr. PAYNE. If the gentleman will allow me, in the Fifty-third Congress this subject was finally referred to the Committee on the Judiciary, and the majority of the committee reported that this statute was still in force. The minority of the committee unanimously reported that it was not in force, under the leadership of Judge Powers, of Vermont, a very good lawyer in his day.

Mr. MANN. As I say, it is a matter of controversy.

Now, I did not rise to defend the statute. I think if it is enforced it ought to be repealed. I did not rise to defend the resolution. I think the resolution—well, it is beyond me to characterize it in parliamentary language from my point of view. [Laughter on the Republican side.]

The SPEAKER. The time of the gentleman from Illinois has again expired.

Mr. MANN. I am not responsible for the resolution. I did not vote for it. But I would not take out my enmity toward the whole thing on an officer of the House who is attempting to be courteous to Members of the House and follow what he is obliged to follow under the instructions of the House. [Applause.]

Mr. BLACKMON rose.

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. BLACKMON. I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Alabama [Mr. BLACKMON] asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. BLACKMON. Mr. Speaker, I think every Member of this House is anxious to finish the public business and go home, and I think that every Member realizes that unless we stay on the job and do so we can not attain this earnest desire.

Now, regarding this matter which has consumed so much time, I have this suggestion to offer, Mr. Speaker: The gentlemen who seem to be so much aggrieved over having to certify to their attendance ought to be willing, or ought to have the courage, rather than criticize the Sergeant at Arms to make a motion or offer a resolution to rescind the order to enforce the law or offer a bill to repeal the statute. That would settle this question. [Applause.]

A MEMBER. Make the motion.

Mr. BLACKMON. I do not propose to make the motion, because I think the resolution that was passed was proper, and I know that a large majority of the fair-thinking people do not believe that a Member of Congress ought to draw the salary and not attend to the duties for which he was elected. That is what I believe. [Applause.] But I make that suggestion to the gentlemen who do not want to sign the certificate.

It would be far more becoming for these gentlemen, who are so much aggrieved because of being compelled to certify as to whether or not they have been in attendance, to offer a resolution to suspend the action of the House requiring the Sergeant at Arms to enforce the law, or offer a bill to repeal the present law which requires a Member to remain at his post of duty, unless he be relieved from such duty on account of illness of himself or some member of his family. Any criticism of the Sergeant at Arms is ill founded, because he is conscientiously enforcing his plain duty, required of him by law.

COAL LANDS IN ALASKA.

The SPEAKER. Under the special rule the House automatically resolves itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 14233, with the gentleman from New York [Mr. FITZGERALD] in the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14233, with Mr. FITZGERALD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14233, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 14233) to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes.

The CHAIRMAN. The first section of the bill as read is now open to amendment. The Clerk will read.

Mr. MONDELL and Mr. RAKER rose.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wyoming [Mr. MONDELL] moves to strike out the last word.

Mr. RAKER. Mr. Chairman, there is a motion pending, made by the gentleman from Wisconsin [Mr. STAFFORD], to strike out the last word. I wondered if he wants to be heard on that motion. If not, I want to be heard in opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Wyoming, who moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I withdraw my pro forma amendment that was pending.

Mr. MONDELL. Mr. Chairman, the first section of this bill down to the proviso on page 2 does not, with the exception of the authority to lease, add anything to the present law. The present law provides for surveys of lands in Alaska, and appropriations have been made from time to time for that purpose. There is an appropriation, the amount of which I do not at this moment recall, now available, so that this section down to the proviso to which I have referred is largely superfluous.

My understanding is, however, that most of the lands in the Bering and Matanuska coal fields have been surveyed by private parties under a provision of law providing for such survey by and at the expense of claimants. I assume that if these surveys are at all accurate—and I presume they are—they will to a greater or less extent be adopted by the Government. The bill seems to be intended to wipe out all of these claims. If that is done, we ought at least to reimburse these people for the ex-

pense they have incurred in making these surveys which we may adopt.

Mr. GOULDEN. Mr. Chairman, will my friend yield to me for a question?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from New York?

Mr. MONDELL. I do.

Mr. GOULDEN. Has the gentleman any information by whom these surveys were made? And if so, were they made by responsible and competent engineers?

Mr. MONDELL. Under the law they must have been made by deputy surveyors, appointed by the surveyor general of Alaska and made under his direction.

Mr. GOULDEN. Therefore they are accurate?

Mr. MONDELL. I simply call attention to this situation because it seems to me we are proposing to take over a lot of surveys without saying so, and somebody ought to be reimbursed for the expense of those surveys.

Mr. GOULDEN. I wondered, Mr. Chairman, if the gentleman will yield, whether the gentleman regarded those surveys as accurate?

Mr. MONDELL. I assume that they are reasonably accurate. I do not know. The law provided for the manner of those surveys, and if they were made as they should have been made they are accurate, and, unlike other surveys made by individuals on the public domain, these surveys were, I think, made somewhat in the manner and form of the ordinary public-land surveys—with north and south and east and west lines.

Now, the last half of the section, Mr. Chairman, authorizes the Secretary of the Interior, with a view to facilitating development, to make leases without awaiting the extension of surveys where surveys have not been made. That is an important feature of the legislation, and that is the only part of the section that is really essential or important. I do not like the form of that proviso, but, while it does not follow the usual form of provisions of that sort, I have no doubt it will be understood by the department and can be worked out by the department. Under it they could clearly take advantage of such surveys as have been made.

Mr. RAKER. Mr. Chairman, before answering the gentleman as to whether or not section 1 is enforced or is practically no change from the present law, and relative to the surveys, I would like to say a few words in regard to the bill.

I am for this bill for the relief of Alaska.

There has been much contention for the last 10 years in regard to the opening up of the coal fields of Alaska and developing that country, to the end that the people living there, as well as those on the Pacific slope, and, in fact, throughout the entire country, might have the benefit of the millions upon millions of tons of coal there in the ground in Alaska. This bill has for its object and its purpose not the reserving of Alaska, not the tying up of Alaska and prohibiting it from use, but the opening up of Alaska at once for development.

In the bill, in section 2, there is provided that the Government shall reserve a certain number of acres of land in the Bering field and in the Matanuska field, and in each other field to the extent of 5,000 acres—in the first, Bering field, 5,120 acres; in the Matanuska field, 7,620 acres; and in each other coal field, 5,000 acres.

Third. It provides for a proper survey.

Fourth. The bill provides that there shall be leases made available to everyone who desires to comply with the law, to the end that that wonderful country may be opened up the best way.

Fifth. The President may operate certain territory for the purpose of developing coal for the Navy.

Sixth. The Secretary of the Navy shall block out by proper survey the entire territory, commencing first on the Bering fields, then on the Matanuska fields, then on the Nenana fields, and then generally over the Territory of Alaska; and then that territory shall be opened up for leasing, and the Secretary of the Interior shall lease the land to those who apply.

Seventh. No railroad shall hold any more territory or coal deposits than enough to run its business.

Eighth. It provides how each applicant shall give a bond to insure his good faith, to the end that he will carry out the lease and fulfill the provisions of the law.

Ninth. It provides that additional land may be obtained by the lessee when that which he holds is worked out before the expiration of the term. When that happens he may obtain a certain quantity of land, or deposits not exceeding 2,560 acres in all.

Tenth. That only one lease shall be had by one person.

Eleventh. That the directors, stockholders, and others shall not hold an interest in any other such corporation. The very object and purpose of the bill is to prevent monopoly, and we believe that has been accomplished by the bill.

Twelfth. Directors are prohibited under penalty from acquiring or holding other leases, and if anyone acquires any one of these leases by descent, devise, gift, or otherwise, he must dispose of it within a certain length of time.

Thirteenth. A royalty is fixed upon the lease, and certain rentals that the person must pay if he desires to obtain a lease.

Fourteenth. The leases must be developed. No man can take a lease of any coal land in Alaska for the purpose simply of holding it and expecting prices to advance, thereby making money out of those who actually do the work.

Fifteenth. Those living in the Territory of Alaska may have a small tract of land for their own supply without compensation, and municipalities in Alaska may obtain a coal supply.

Sixteenth. Reservations are made in all leases for roads and trails and the working and developing of other mines, so that no one particular individual after obtaining a lease can tie up or prevent the development of any of the other blocks or any of the coal fields of Alaska.

Mr. GOULDEN. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman from New York.

Mr. GOULDEN. What is the gentleman's opinion of not less than 2 cents royalty upon each ton of coal?

Mr. RAKER. I think that is all right.

Mr. GOULDEN. Does the gentleman think that is high enough as a minimum?

Mr. RAKER. Oh, yes; we fix a rental, and then in addition to that there are competitive bids, and it is not solely for the Government to obtain as large a sum out of these leases as possible, or out of this land; but the great thing is that the Government shall receive a reasonable amount and that the coal may be opened up and developed, to the end that the consumer may get the benefit.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. I ask unanimous consent that my time may be extended five minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that his time may be extended five minutes. Is there objection?

There was no objection.

Mr. RAKER. The object in view is that the consumer may have coal at a reasonable price, and, further, that there shall be no monopoly in the handling of the Alaskan coal fields.

Seventeenth. The surface of all the coal land, where unnecessary for the actual mining operations of the mine, is reserved for agricultural purposes, so that the surface, as well as the coal under the surface, may all be developed to the utmost.

Eighteenth. Permission is given the Secretary to permit the use of other lands outside of the lease for the purpose of building mills, plants, or machinery, or other things necessary to run a proper coal mine.

Nineteenth. There shall be no subletting. When a man obtains a lease, or a company obtains a lease, that settles it. They have one lease, and there can be no subletting, except in one particular instance—where it may be beneficial—and then application is made to the Secretary of the Interior.

Twentieth. Forfeiture is provided by the proper procedure in the courts where any company or private individuals fail to comply with the law as well as the rules and regulations adopted by the Secretary and the provisions in the lease.

Twenty-first. The Secretary of the Interior may require an affidavit of each person, company, or corporation as to his method of business, how he is running his lease, and what he is doing, so that we have our hand always on the throttle and know that the real development of actual work is being done in Alaska.

Twenty-second. Full rules and regulations are within the control of the Secretary of the Interior to control the entire situation.

Twenty-third. The committee spent much time upon the last section of the bill—section 14—so that there would be no question of repealing any proper law in Alaska upon the subject, and to the further end that all of those who now have claims pending in the various departments, from the local land office to the Secretary of the Interior, through the Commissioner of the Land Office, might have full opportunity to go on with their claims to final adjudication.

Therefore we can turn back and say that this committee gave months of study to this bill. Extensive hearings were had, and everybody given an opportunity, and it was a unanimous report of the committee, to the end that they believe that Alaska should be developed, and developed at once; that there should be no monopoly of the coal fields of Alaska; and when those two questions are accomplished nothing further ought to be required of any of the people of this country.

That has been the object and purpose of the committee, and the bill has had the committee's important, careful, and painstaking consideration. In regard to the suggestion of the gentleman from Wyoming that as to the first section practically everything in the section as included is new, the Secretary of the Interior is directed to survey the Territory of Alaska, and, further, he is authorized and directed to lease the lands of Alaska, change from a title in fee to a leasing system, and, third, that the first to be opened is the Bering field, and, second, the Matanuska, and then the Nenana field and then the other fields along the tributaries.

Mr. MONDELL. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. MONDELL. I had intended to say that the words relative to leasing were new, but the balance of the section does not add anything to the law.

Mr. RAKER. It is an absolute change, a movement forward and in the right direction, to open up that wonderful Territory that has been closed for the last 12 years, and about which so much has been said. The determination is to open up the coal fields of Alaska, to be used in the Territory and upon the Pacific coast and over the United States, instead of being locked up and compelling the residents to pay ten times the price at which it could be got in that Territory under the circumstances.

The proviso on page 2 provides that such survey shall be included in the rules and regulations of the public domain. All the law there is in Alaska on the statute book is this law as to surveys. The second proviso permits the Secretary of the Interior to commence immediately the surveys, where the land can be sufficiently and definitely laid out, to lease that land and turn it over to the public use. When the gentleman from Wyoming appealed to those who have attempted surveys in Alaska, some 600 claimants who have been denied, he wants the Government to take the old surveys and adopt them and pay for them. Now, the committee considered that.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I want three minutes more, and then I am through.

The CHAIRMAN. The gentleman from California requests that his time be extended three minutes. Is there objection?

There was no objection.

Mr. MONDELL. Will the gentleman yield?

Mr. RAKER. I will yield to the gentleman.

Mr. MONDELL. I wish the gentleman from California would not misrepresent what I said. I did not say anything about the Government taking over surveys. I do not care whether the Government takes them over or not, but if the Government does take them over, I said that it ought to pay for them.

Mr. RAKER. The Government does not intend to take them over, and it was so represented before the committee, because the purpose is not to act on any matter so that anyone that had made private filings, or had been denied, could claim that the Government used the surveys and ought to pay for them.

Mr. MONDELL. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. MONDELL. If the Government does not take over the surveys, there will be no surveys completed within a year under which you could make leases.

Mr. RAKER. In the private surveys paid for by individuals, as they do now in mining claims, the Government always has a record of them and never pays for them. The Government in this instance should not under any circumstances put itself in a shape to recognize the prior claims under this bill, because the provision is in the lease that every claim and every interest and every right held under a mining claim on the coal land in Alaska is not affected by this bill, and the claimant may proceed to a final determination in the court of last resort—the Department of the Interior. Should the Government take it, it would make no difference whether it was in the Bering field or in the Matanuska field in the coal lands, whether it is tomorrow or next week, he can put them on the market by leasing under the provisions of this bill directing the Secretary of the Interior to do it, so that even this year the coal fields of Alaska may be opened and the coal may be used by the inhabitants living there who need it and can get it in their own country, without having to buy it in a foreign country. This coal is needed in Alaska and on the Pacific coast, and on the shores of Alaska it might be used there by those people if they could get it instead of shipping coal from foreign countries, as well as from the eastern border of the United States. That is one of the matters to which the committee has given full consideration.

The following letter fully shows the attitude of the people of Alaska on this bill. They want it enacted into law, and that at

the earliest date possible. The letter was received by me a few days ago:

CORDOVA, ALASKA, August 14, 1914.

DEAR SIR: We respectfully call your attention to the necessity for immediate action in the matter of throwing open Alaska coal. We do not presume to suggest the method by which this should be done. What we do insist upon is that it is absolutely necessary to open it in some way at once, either through a leasing system, private ownership, or Government operation, to the end that the coal may be used, not only in Alaska, but on the Pacific coast as well.

In support of this proposition we submit that practically all the coal consumed in Alaska, as well as a large percentage of that used on the Pacific coast, comes from British Columbia. Should this supply be cut off through the war now raging over all Europe, our industries, few as they are, will be paralyzed and widespread desolation will follow.

If Canada herself does not see fit to prohibit the exportation of coal, there is nothing to prevent the nations at war with Great Britain from capturing English coal on the high seas or even destroying the works on the British Columbia coast.

The war has already resulted in a large increase in the price of all foodstuffs and supplies in this Northland, and with the decrease in the value of copper the indications are that these mines will shut down.

Foreign capital is being withdrawn and the mines operated and developed by this money closed down. As an example, we point to the Jualin mine at Juncan and the Mother Lode of the Copper River section, each of which has ceased work since war was declared.

To Alaska the situation is serious, and we believe it is of equal importance to the United States as a whole.

The coal for naval use on the Pacific has been brought around from the Atlantic. To bring this coal to the Pacific it was necessary to use foreign vessels. These foreign vessels are no longer available. There are no American ships for this purpose. Every vessel which flies the American flag, which can by any possibility be used for the purpose, will be needed for our over-sea trade to take the place of foreign ships that have been withdrawn from the trade. The opening of Alaska coal is therefore a national necessity. It is a necessary part in the scheme for national defense, and the last few weeks have demonstrated that we can not afford to neglect any possible measure tending to strengthen our national defense.

If it is urged that the coal in Alaska is not suited to naval use, we reply that the test made was simply a test of one vein of coal, and is therefore no proof of the field. We confidently assert that the Bering River field has large quantities of coal suitable for naval use, and refer to such eminent geologists as Drs. Brooks and Martin, of the United States Geological Survey, as our authority.

The Bering River field can be opened and coal placed on the market at Cordova in 90 days from the beginning of construction. A line of railroad, 38 miles long, branching from Mile 38, on the Copper River & Northwestern Railroad, will reach to the heart of the field.

With these conditions surrounding us, we respectfully ask: "Is it the part of good judgment to longer delay the opening of Alaska coal on some basis, either by a leasing bill or such liberal provisions, that American capital will undertake it or by Government operation?"

We appeal to you, who have the power and authority to do this, to give it your earnest and conscientious consideration, believing that you will arrive at the same conclusion that we have, viz, that the opening of Alaska coal is not only an absolute necessity, but a duty that Congress should at once perform.

Very respectfully,

CORDOVA CHAMBER OF COMMERCE,
G. C. HAZELT, President,
H. G. STEEL, Secretary.

I deem it important that the report of the committee be printed in the Record, and make it a part of my remarks.

[House of Representatives Report No. 352, Sixty-third Congress, second session.]

LEASING OF COAL LANDS IN ALASKA.

Mr. FERRIS, from the Committee on the Public Lands, submitted the following report to accompany H. R. 14233:

The Committee on the Public Lands, to which was referred H. R. 13137, introduced by Mr. FERRIS, the same bill being later reintroduced with certain committee amendments as H. R. 14233, begs leave to report the bill (H. R. 14233) back to the House without amendment, with the recommendation that the bill do pass. The bill (H. R. 14233) is reported unanimously from the Committee on the Public Lands and is set out herewith at length, as follows:

[H. R. 14233, Sixty-third Congress, second session.]

"A bill to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes.

"Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to survey the lands of the United States in the Territory of Alaska known to be valuable for their deposits of coal, and to lease such lands or the deposits of coal contained therein, as hereafter provided, preference to be given first in favor of surveying lands within those areas commonly known as the Bering River, Matanuska, and Nenana coal fields and thereafter to such areas or coal fields as lie tributary to established settlements or existing or proposed rail or water transportation lines: *Provided*, That such surveys shall be executed in accordance with existing laws and rules and regulations governing the survey of the public lands: *Provided further*, That the Secretary of the Interior may, as herein provided, with a view to facilitating development and without awaiting said surveys, make such awards of leases in the coal fields in Alaska as he may deem advisable and under such regulations as he may prescribe; the locations of such leases shall be distinctly marked upon the ground under his direction, so that their boundaries can be readily traced.

"Sec. 2. That the President of the United States shall designate and reserve from use, location, sale, lease, or other disposition not exceeding 5,120 acres of coal-bearing land in the Bering River field and not exceeding 7,680 acres of coal-bearing land in the Matanuska field, and in addition the President may, in his discretion, designate and reserve from use, location, sale, lease, or other disposition not exceeding 5,120 acres of coal-bearing lands in each of the other coal fields in the Territory of Alaska: *Provided*, That the deposits in said reserved areas may be mined under the direction of the President when, in his opinion, the coal is required for Government works or in the construction and operation of Government railroads, or is required by the Navy or is necessary for national protection or for relief from oppressive conditions brought about through a monopoly of coal.

"Sec. 3. That the unreserved coal lands and coal deposits shall be divided by the Secretary of the Interior into leasing blocks or tracts

of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such blocks, but in no case exceeding 2,560 acres in any one leasing block or tract; and thereafter the Secretary of the Interior shall, from time to time upon the request of any qualified applicant or on his own motion, offer such lands or deposits of coal for leasing, and, upon a royalty fixed by him in advance, shall award leases thereof through advertisement, by competitive bidding, or, in case of lignite or low-grade coals, such other methods as he may by general regulations adopt, to any person above the age of 21 years who is a citizen of the United States or has declared his intention to become such, or to any association of such persons, or to any corporation or municipality organized under the laws of the United States or of any State or Territory thereof: *Provided*, That no railroad or other common carrier shall be permitted to take or acquire through lease or permit under this act any coal or coal lands in excess of such area or quantity as may be required and used solely for its own use, and such limitation of use shall be expressed in all leases or permits issued to railroads or common carriers hereunder: *Provided further*, That each applicant for lease under this act shall execute and file with the application or bid a good and sufficient bond, in such reasonable sum as may be fixed in advance by the Secretary of the Interior, to insure good faith in the fulfillment of the terms and conditions of the bid, the lease, and of this act.

"The possession of any lessee of the land or coal deposits leased under this act, for all purposes involving adverse claims to the leased property, shall be deemed the possession of the United States, and for such purposes the lessee shall occupy the same relation to the property leased as if operated directly by the United States.

"SEC. 4. That a person, association, or corporation holding a lease of lands or coal deposits under this act may, with the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure a modification of his or its original lease by including additional lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

"That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the original lease, shall not exceed 2,560 acres, through the same procedure and under the same conditions as in case of an original lease.

"SEC. 5. That no person, association, or corporation, except as herein provided, shall be permitted to take or hold any interest as a stockholder or otherwise in more than one lease under this act; and any interest held in violation of this section shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction: *Provided*, That any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held for two years after its acquisition and not longer.

"SEC. 6. That no person, association, or corporation holding a lease under the provisions of this act shall hold any interest, direct or indirect, in any agency, corporate or otherwise, engaged in the resale of coal purchased from such lessee, or enter into any agreement, arrangement, or other device to enhance the price of coal; and any violation of the provisions of this section shall be ground for the forfeiture of the lease or interest held.

"That any person who shall purchase, acquire, or hold any interest in two or more such leases, except as herein provided, or who shall knowingly purchase, acquire, or hold any stock in a corporation having an interest in two or more such leases, or who shall knowingly sell or transfer to one disqualified to purchase, or except as in this act specifically provided, disqualified to acquire, any such interest, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding \$1,000: *Provided*, That any such ownership and interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held two years after its acquisition and not longer.

"That any director, trustee, officer, or agent of any corporation holding any interest in such a lease, who, on behalf of such corporation, shall knowingly participate in the purchase of any interest in another lease, or in the sale or transfer of any such interest in any lease held by such corporation to any corporation or individual holding any interest in any other lease under this act, except as herein provided, shall be guilty of a felony, and shall be subject to imprisonment for a term of not exceeding three years and a fine of not exceeding \$1,000.

"SEC. 7. That for the privilege of mining and extracting and disposing of the coal in the lands covered by his lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be not less than 2 cents per ton of 2,000 pounds, due and payable at the end of each month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and \$1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of continued operation of the mine or mines, except when operations shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine, unless otherwise provided by law at the time of the expiration of such periods.

"SEC. 8. That in order to provide for the supply of strictly local and domestic needs for fuel the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue to any applicant qualified to obtain a lease under section 3 of this act a limited license or permit granting the right to prospect for, mine, and dispose of coal belonging to the United States on specified tracts, not to exceed 10 acres in any one coal field, for a period of not exceeding 10 years, on such conditions not inconsistent with this act, as in his opinion will safeguard the public interest, without payment of royalty for the coal mined or for the land occupied: *Provided*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the acquisition of such tract or operation of such mine under said limited license.

"SEC. 9. That any lease, permit, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit, for joint or several use, such easements, including roads, rights of way, sites for coal washeries, coke ovens, tunnels in, over, through, or upon the lands leased, occupied, or used, as may be necessary or appropriate to the working of the same or other coal lands and treatment and shipment of the products thereof by or under authority of the Government, its lessees or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease, under existing law or laws hereafter enacted, in so far as said surface is not necessary for use by the lessee in extracting and removing the deposits of coal therein: *Provided further*, That if such reservation is made it shall be so determined before the offering of such lease.

"That the said Secretary during the life of the lease is authorized to issue such permits for easements herein provided to be reserved, and to permit the use of such other public lands in the Territory of Alaska as may be necessary for the construction and maintenance of coal washeries or other works incident to the mining or treatment of coal, which lands may be occupied and used jointly or severally by lessees or permittees, as may be determined by said Secretary.

"SEC. 10. That no lease issued under authority of this act shall be assigned or sublet except with the consent of the Secretary of the Interior. Each lease shall contain provisions for insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of waste as may be prescribed from time to time by the said Secretary shall be observed, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare.

"SEC. 11. That any such lease may be forfeited and canceled by an appropriate proceeding in a court of competent jurisdiction whenever the lessee fails to comply with any provision of this act, of the lease, or of general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

"SEC. 12. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath unless otherwise specified, and in such form and upon such blanks as the Secretary of the Interior may require, and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

"SEC. 13. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act.

"SEC. 14. That on and after the approval of this act no lands in Alaska containing deposits of coal shall be disposed of or acquired in any manner except as provided in this act: *Provided*, That the passage of this act shall not affect any proceeding now pending in the Department of the Interior, and any such proceeding may be carried to a final determination in said department notwithstanding the passage hereof."

DRAFTING OF THE MEASURE.

The original bill (H. R. 13137) was drafted pursuant to many conferences between the Secretary of the Interior, officials of the Geological Survey and the Bureau of Mines, and the chairmen of the House and Senate Committees on the Public Lands, Territories, and Mining. The bill represents the combined judgment of the Interior Department and the chairmen of the six committees mentioned, who participated in the conferences.

SECRETARY LANE'S FORMAL REPORT.

The bill H. R. 14233 was referred by the Public Lands Committee to the Secretary of the Interior for report, which is set forth in a letter addressed to the chairman of the committee under date of March 6, 1914, it being as follows:

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 6, 1914.

HON. SCOTT FERRIS,
Chairman Committee on Public Lands,
House of Representatives.

MY DEAR MR. FERRIS: I am in receipt of your letter of March 6, 1914, inclosing a copy of H. R. 14233, a bill to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes. This bill embodies the material features of H. R. 13137, upon which I submitted favorable report and in support of which I appeared before your committee on February 17, 1914, but has been improved and perfected by incorporating therein amendments and additions suggested by members of the Public Lands Committee and others at the hearings held upon H. R. 13137. Every reason which I advanced in support of the enactment of H. R. 13137 applies with equal force to H. R. 14233, which I regard as an improvement upon the original measure.

As I have heretofore stated, existing conditions in the Territory of Alaska urgently demand the enactment of this measure so that the vast coal deposits of the Territory may be made available for the use of the people. The coal is needed for domestic use by residents for local industries, including the development of low-grade ores, and immediate opening and development of the coal deposits is necessary for the construction and ultimate success of the Alaskan railroad, the construction of which is authorized by bill recently enacted. H. R. 14233 will permit the leasing of Alaska's coals in areas of sufficient size to warrant the installation of large and modern equipment and the mining and marketing of the coal upon payment of a reasonable royalty, while at the same time small areas may be developed and mined without charge for domestic needs. The bill contains a number of provisions designed to prevent monopoly in the acquisition, holding, and sale of the coal, but these provisions and the penalties fixed are so plainly stated that there should be no confusion as to their intent and scope.

I believe the measure, if enacted, will provide a fair and acceptable method for the development of Alaskan coal, will safeguard the interests of the public, and will result in direct and immediate benefit to the Territory. For these reasons, and particularly because of the imperative need mentioned, of the fact that this measure is supplemental to and necessary for the success of the Alaskan railroad bill just enacted, I earnestly recommend that H. R. 14233 be enacted as soon as possible.

Cordially, yours,

FRANKLIN K. LANE.

HEARINGS.

The Committee on the Public Lands held extensive hearings on the bill, which have been printed as public documents. The Secretary of the Interior and other officers of the Interior Department, including officials from the Geological Survey and the Bureau of Mines,

participated in the hearings and rendered material aid to the committee in formulating a workable measure.

SECRETARY LANE'S STATEMENT AT THE HEARINGS.

Secretary Lane's statement made during the hearings, when he personally appeared before the committee, is printed as a part of the hearings, beginning on page 4 of part 1 and concluding on page 12 thereof. His statement quite well sets forth the situation as it exists in Alaska, and it is therefore printed herewith, as follows:

Secretary LANE. I have a brief statement to make outlining the bill. In the first place, let me file with you some data collected by some of the bureaus of my department dealing with the extent of the coal fields, the coal production and consumption, and the oil consumption in Alaska.

(The matter referred to is as follows:)

LEASING ALASKA COAL LANDS. THE COAL FIELDS.

The known areas of coal-bearing rocks of Alaska according to the Geological Survey include about 16,000 square miles (12,240,000 acres), and of this 1,210 square miles (774,400 acres) is pretty definitely known to be underlain by workable coal beds. The rest of the fields have not yet been surveyed in sufficient detail to permit of definite statement of the percentage of actual coal lands. About 12 per cent of the total known coal lands are anthracite, semianthracite, semibituminous, and bituminous coal, the balance being sub-bituminous and lignitic coals.

The most important fields are the Bering River, including about 50 square miles (32,000 acres) of coal lands, and the Matanuska, including about 100 square miles (64,000 acres) of coal lands. Both these fields contain high-grade bituminous and anthracite coals, and both include coking coals. Some of the coal beds in both fields have been crushed so as to seriously detract from their value, if not to render them worthless, but workable beds undoubtedly exist in both fields. There is some high-grade bituminous coal near Cape Lisburne, on the Arctic seaboard, but this is too inaccessible to enter into the present fuel situation.

Sub-bituminous coals have been found on the Alaska Peninsula and also in northwestern Alaska. Those on the Alaska Peninsula have value for local use, but are not high enough grade to warrant export.

Lignitic coal finds a very wide distribution in Alaska. The largest of the known areas are those of the west side of the Kenai Peninsula and the Nenana field, located on the south side of the Tanana Valley and about 50 miles from Fairbanks. This lignitic coal has value for local use, but is not of a sufficiently high grade to warrant its export.

COAL-LAND LAWS AND WITHDRAWALS AND GRANTING OF PATENTS.

The coal-land laws were extended to the Territory of Alaska by act of June 5, 1900 (31 Stat., 658), and further provision made for the disposition of those lands by the act of April 28, 1904 (38 Stat., 523), and by the act of May 28, 1908 (35 Stat., 424).

All Alaska coal lands were withdrawn from entry November 12, 1906, except those embraced in valid existing claims.

Total number of claims presented in Alaska under coal-land laws, 1,126; total number of claims canceled to date, 561; total number of claims patented, 2; number of claims now pending, 566, many of which have been held for rejection by the General Land Office. The claims patented are as follows: One known as the Wharf claim, in Kenai Peninsula and on Cook Inlet, containing about 66 acres; the other, on Admiralty Island, in southeastern Alaska, containing about 160 acres. The coal in both these claims is lignite.

COAL PRODUCTION AND CONSUMPTION.

The coal production of Alaska in 1912, according to the Geological Survey, was 355 tons. Preliminary estimates for 1913 indicate an output of about 1,200 tons. This increase is due to the systematic working of the Wharf mine, on Cook Inlet, to which patent was granted in 1912. The coal from this mine finds a ready market for local use. While the Alaska coal output has been insignificant, the annual consumption in the Territory is over 100,000 tons. This does not include the coal used by the ocean steamers running to and along the coast of Alaska. These steamers probably use 50,000 tons annually. The following table shows the annual coal consumption of Alaska since 1899. This table shows that about 60 per cent of the coal consumed in Alaska is of foreign source, and most of this comes from the Vancouver Island fields, in British Columbia. The coal output of Alaska has been chiefly lignite, which has been mined from small banks for local use. In 1907, however, under special permit, Mr. MacDonald operated a small mine on the Bering River field. This mine is located in the southwestern margin of the field, on Bering Lake, and the coal was brought down in small scows. This coal is bituminous and found a ready market in the near-by construction camps of a railway, and is reported to have given good satisfaction.

Coal consumption of Alaska, by sources, 1899 to 1912, in short tons.

Year.	Imported from States, chiefly from Washington.		Produced in Alaska, chiefly sub-bituminous and lignite. ²	Total domestic, ² chiefly from Washington.	Total foreign coal, chiefly bituminous, from British Columbia. ³	Total coal consumed.
	Bituminous.	Anthracite.				
1899.....	10,000		1,200	11,200	50,120	61,320
1900.....	15,048		1,200	16,248	56,623	72,871
1901.....	24,000		1,300	25,300	77,674	102,974
1902.....	40,000		2,212	42,212	68,363	110,575
1903.....	64,625	1	1,447	66,073	60,005	126,078
1904.....	36,689		1,694	38,383	76,815	115,198
1905.....	67,707	6	3,774	71,487	72,567	144,054
1906.....	68,960	533	5,541	75,034	47,590	122,624
1907.....	45,130	1,116	10,139	56,385	88,596	144,981
1908.....	23,402	491	3,107	27,000	72,831	99,931
1909.....	33,112		2,800	35,912	74,316	110,228
1910.....	32,138		1,000	33,138	73,904	107,042
1911.....	32,255		900	33,155	88,573	121,728
1912.....	27,767		355	28,122	59,804	87,926
Total.....	520,833	2,147	36,660	559,649	968,381	1,528,930

¹ Estimated.

² By calendar years.

³ By fiscal years ending June 30.

While the coal consumption in Alaska has remained nearly stationary, the uses of fuel oil has very much increased. The Treadwell group of mines now uses California oil, as do many of the dredges at Nome, steamers running to Alaska, and the Yukon River boats. The Copper River Railway is now in part equipped with oil-burning locomotives, while the Alaska Northern Railroad, when operated at all, uses a gasoline car. The Tanana Valley Railroad also runs a gasoline passenger coach. The following table indicates the increased use of oil-burning and gasoline engines in Alaska:

Shipments of petroleum products to Alaska from other parts of the United States, 1905-1911, in gallons.

Year.	Crude.		Naphtha.	
	Quantity.	Value.	Quantity.	Value.
1905.....	2,715,388	\$91,068	713,496	\$109,921
1906.....	2,688,100	38,409	580,978	100,694
1907.....	9,104,300	143,506	636,681	119,345
1908.....	11,891,375	176,483	639,424	147,104
1909.....	14,034,900	334,258	746,930	118,610
1910.....	18,835,670	477,673	788,154	138,569
1911.....	18,142,394	406,400	1,238,865	167,915

Year.	Illuminating.		Lubricating.	
	Quantity.	Value.	Quantity.	Value.
1905.....	627,391	\$113,921	83,319	\$131,660
1906.....	568,033	109,964	83,992	32,854
1907.....	510,145	99,342	100,145	37,929
1908.....	566,598	102,567	94,542	36,423
1909.....	581,727	98,788	85,687	35,882
1910.....	626,972	95,483	104,612	38,625
1911.....	423,750	57,896	109,141	34,048

ALASKA COAL CLAIMS.

According to the report of the Commissioner of the General Land Office, 1,129 Alaska claims were recorded. This means 1,129 locations not exceeding 160 acres each. Of this number 561 have been canceled to date, 2 have been patented, and 566 are pending, most of the latter either having been held for cancellation for irregularity or being under investigation because of alleged illegality. The claims canceled, patented, and pending are shown by coal fields in the following table:

Canceled Alaska coal claims:	
Bering River coal field.....	224
Matanuska coal field.....	90
Cook Inlet coal field.....	118
Admiralty Island coal field.....	31
Alaska Peninsula coal field.....	38
Nome coal field.....	12
Fairbanks coal field.....	15
Miscellaneous, field not shown.....	31
Total.....	561
Alaska coal claims patented:	
Admiralty Island coal field.....	1
Cook Inlet coal field.....	1
Total.....	2
Alaska coal claims pending:	
Bering River coal field.....	287
Matanuska coal field.....	51
Cook Inlet coal field.....	172
Admiralty Island coal field.....	10
Fairbanks coal field.....	21
Nome coal field.....	5
Miscellaneous.....	20
Total.....	566

Secretary LANE. I now propose, with your permission, to take up the bill section by section so that you may have a clear understanding of it.

LANDS TO BE SURVEYED.

Section 1 directs the survey of lands in Alaska known to be valuable for deposits of coal, preference to be given to surveying lands within the Bering River and Matanuska coal fields, and thereafter to such coal fields as lie tributary to established settlements or existing or proposed transportation lines. With the exception of limited agricultural areas in some of the valleys of Alaska, the public-land surveys have not been extended over the Territory. Before the lands can be leased to applicants, in the form and for the minimum or maximum areas permitted by the bill, and before reservations for public use, as contemplated, can be made and defined, it is essential that the lands be surveyed and the boundaries clearly and definitely marked upon the ground. Preference is given first to the Bering River and Matanuska fields, because they contain deposits of anthracite and high-grade bituminous coals, some of which are believed to be adapted to use by the United States Navy, and because those fields lie within comparatively easy distance of rail and water transportation. In the other fields containing chiefly lower grade bituminous or lignite coals it was deemed advisable to first make the surveys near established settlements or existing or proposed transportation lines.

Mr. CANTOR. During what period of time were those surveys made? Secretary LANE. It is contemplated that they will be made immediately.

Mr. CANTOR. Have any been made heretofore? Secretary LANE. Some surveys have been made. Mr. CANTOR. For the purpose of ascertaining these deposits? Secretary LANE. Yes, sir, and we have some of those reports, which will be filed with you.

LANDS RESERVED FOR THE UNITED STATES.

Section 2 directs the reservation of not more than 5,120 acres of coal-bearing land in the Bering River field and not exceeding 7,680 acres in the Matanuska field. The maximum amounts were determined upon in order that the remaining areas should be assured for private development through the leasing system. The amount reserved is deemed to contain an ample supply of coal for the purposes of the reservation, which are set out in the proviso to the section to be for Government works, the construction and operation of Government railroads, use of the Navy, national protection, and for relief from oppressive conditions brought about through the monopoly of coal. Aside from the possibility of the use of these coals for direct governmental use the reservations will, it is believed, provide a very effective check on monopoly, for, under the provisions of the bill, if such monopolistic conditions come to exist as warrant such action the President may cause the coal in the reserved areas to be mined and placed upon the market.

LANDS AND COAL DEPOSITS TO BE LEASED.

With the exception of the reservations described in section 2, the remaining coal lands in Alaska, after survey, are to be divided into leasing blocks of 40 acres each, or multiples thereof, in no case exceeding 2,560 acres in any one block, and such blocks or tracts to be leased through advertisement, competitive bidding, or such other methods as may be provided by general regulation to citizens, associations, or corporations. The bill authorizes the lands to be leased in such form as will permit the most economical mining of the coal, a provision of importance because of the peculiar topography of the coal fields, particularly those which contain the better grades of coal. The minimum of 40 acres was fixed because that is the smallest subdivision of the public lands surveys, and because it was believed that individual miners and those desiring to supply small and local markets might desire to lease and operate smaller areas than those persons, and corporations who engage in the coal-mining business in a large way. The maximum of 2,560 acres was fixed, because experience in the United States has demonstrated that area, when underlain by coal beds of approximately the thickness of those under consideration, to be an ample amount to warrant the proper equipment, opening, and operation of a large and permanent coal mine.

NEW LEASE FOR ADDITIONAL LANDS.

Section 4 provides that a lessee whose original lease did not cover the maximum area may, with the approval of the Secretary of the Interior, and under the same procedure, terms, and conditions as in the case of an original, secure a further or new lease covering additional lands contiguous to the original lease, provided the combined area of the two leases does not exceed 2,560 acres. This provision is designed to permit those who have secured a lease for a small area and have developed and mined the coal deposits therein to extend their workings and secure the coal in vacant contiguous lands.

CONSOLIDATION OF LEASES.

Section 5 permits lessees holding small blocks to consolidate their leases or holdings so as to include not exceeding 2,560 acres. It was thought that in some instances individual miners might apply for and secure leases for small blocks and thereafter find that economic mining might best be carried on through combination with the holders of adjacent small holdings.

TO PREVENT MONOPOLIZATION.

Section 6 prohibits any person, association, or corporation from acquiring or holding any interest as stockholder or otherwise in more than one lease under the act. The penalties for violation of this provision are contained in sections 6, 7, and 8, and are: (1) Forfeiture of any interest held in violation of this provision by proceedings instituted by the Attorney General in a court of competent jurisdiction; (2) punishment of any person who purchases, acquires, or holds such an interest in two or more leases, or who shall knowingly sell or transfer to a disqualified person, by imprisonment for not more than three years and by a fine not exceeding \$1,000. Section 8 prescribes the same penalty for any director, trustee, officer, or agent of a corporation holding an interest in a lease who shall, on behalf of the corporation, act in the purchase of an interest in another lease or who shall knowingly act on behalf of the corporation in the sale of such an interest in any lease held by the corporation to a disqualified person.

ROYALTIES.

Section 9 requires the payment to the United States of a royalty upon coal mined of not less than 2 cents per ton, due and payable at the end of each month succeeding that of shipment of coal from mine. An annual rental of 25 cents per acre for the first year, 50 cents for the second, third, fourth, and fifth years, and \$1 per acre for each year thereafter is exacted, but the rental for any year is created against the royalties for that year. Leases are for indeterminate periods, on condition of continued operation, and that at the end of each 20-year period such readjustment of terms and conditions may be made as are authorized by law. The minimum fixed is very low, and no maximum has been fixed for the reason that the situation, extent, and character of the coal deposits in Alaska are so varied and different as to necessitate the vesting of discretion in the officers charged with the leasing of the coal. The rental provision is designed to insure reasonably continuous operation of the coal mines. Lessees are unwilling to expend the money necessary for the thorough equipment of a large mine under a lease for a short period; therefore the leases are indeterminate. Conditions, however, may materially change from time to time, and for this reason provision was made for such adjustment of terms and conditions made at the end of 20-year periods as Congress might authorize. Provision is made for relieving lessees from continued operation of mines where same are interrupted by strikes, the elements, or casualties not attributable to the lessee.

FREE MINING FOR LOCAL USE PERMITTED.

Section 10 authorizes the Secretary of the Interior, under such rules as he may prescribe, to issue a limited permit for the mining of coal on not exceeding 10 acres to any person or association for not exceeding 10 years. This provision is in order to provide coal for strictly local and domestic needs for fuel, and is without payment of any rental or royalty. This will allow homestead settlers, miners, or other residents or business corporations or associations in the Territory to secure a limited amount of coal for domestic uses in the Territory.

RIGHT OF WAY RESERVED.

Section 11 provides for the reservation in all leases and permits issued of the right of the United States to grant or use such easements through or over the lands leased or occupied as may be necessary for the working of the same or for other lands by or under the authority of the Government. This provision is deemed essential in

order that ingress and egress to mines may be secured to the United States or its lessees.

CONDITIONS OF LEASES.

Section 12 provides that no lease shall be assigned except with the consent of the Secretary of the Interior, and that each lease shall contain appropriate provisions for care in the operation of the property, for the safety and welfare of miners, for the prevention of waste, and such other provisions as are necessary for the protection of the interests of the United States. These provisions are such as would be placed in an ordinary private lease, and are deemed essential for the protection not only of the United States but of the employees of the mines.

FORFEITURE THROUGH COURT PROCEEDINGS.

Section 13 provides that leases may be forfeited by appropriate proceedings in a court of competent jurisdiction when the lessee fails to comply with the provisions of the lease or of general regulations promulgated under the act. It also provides for the enforcement of other appropriate remedies for breach of conditions. It is obvious that some provision should be made for forfeiture in the event of breach of conditions, but for the security and protection of the lessee it is provided that this shall be through proceedings in the courts.

COURT JURISDICTION OVER DISPUTES.

Section 14 extends the jurisdiction of the district court of Alaska over forfeiture proceedings and over any and all controversies which may arise between the United States and any lessee or other person under the act or under leases issued. The purpose of this section is to permit of the determination of all controversies and causes arising under the act in the same manner as controversies between citizens.

REPORTS.

Section 15 requires that statements or reports required by the Secretary under the act shall be under oath and in such form as may be required, and subjects any person making a false oath to punishment for perjury.

ROYALTIES TO GO INTO FUND FOR DEVELOPMENT OF ALASKA.

Section 16 provides that all moneys received from royalties and rentals shall be paid into a special fund, to be subject to such disposition as Congress has made or may make for the development of Alaska, and particularly subject to such application as may be made by Congress of moneys for the construction of railroads. The undeveloped condition of the Territory and the imperative necessity for the building of highways, railroads, and other public improvements, which will induce settlement and development of the resources, renders it important that the receipts from public lands shall be available for these internal improvements. The Alaskan railroad bill, which has passed the Senate, devotes 75 per cent of such returns to the railroad fund.

RULES AND REGULATIONS.

Section 17 authorizes the Secretary of the Interior to prescribe necessary rules and regulations to carry out the proposed act.

I have outlined this bill at somewhat wearisome length perhaps that you might have clearly in mind at the beginning of this inquiry the simple lines upon which it is drawn. It is a leasing bill with a minimum of detail and a maximum of advantage to Alaska. It lays all practicable safeguards against monopoly and yet permits of large working areas. It reserves to the United States definite tracts in the known fields, more than sufficient, it is believed, for all governmental needs, and throws open to immediate individual use the lesser coal beds under safe restrictions. I can think of nothing which could be done to make Alaska coal a world resource for which this does not provide. Its terms appeal to me as those which will make for the full opening of Alaska's coal lands with but the slightest opportunity for their monopolization. It is aimed to compel the development of coal and not to form a foundation for speculation in the value of coal lands.

The plan proposed—to lease the lands to operators—has several points of value. It is, in the first place, the normal plan. Not only is this recognized by many of our Western States in their statutes governing the disposition of State-owned coal and ore lands, but it is the method under which practically 90 per cent of the coal of this country is mined. We hear of coal operators and mine workers, but seldom of coal-land proprietors. This is because the coal of the country is not mined generally by the landowner, but by lessees. In some of our largest fields the royalty paid is more stable than the freight rate or the price of coal itself. In some of the Australian colonies where coal is produced for export to South America and this country the law permits coal lands to be bought or to be leased. Yet the sale of the land is practically unknown. The reason is apparent.

Why tie up capital in the coal itself, when such capital may be more profitably used in development? And one may reasonably ask, Why should it be the policy of our people to limit coal operations in Alaska or elsewhere to those who have money enough to allow a large investment to lie idle in a coal field? Could there be a greater temptation to monopoly or a more certain warning to men of small means that they are not to be regarded as factors in the coal industry?

I feel confident that the people of the United States are convinced not only that Alaska's coal should be made available, but that it is the wisest and safest policy to open these lands under a leasing system.

As to the need for this coal, I certainly can not add one persuasive argument with which you are not now familiar. A land where there are five months of winter, where in parts the land itself must be thawed out before it will yield its riches—could there be a country of greater need? And who can wonder that the people of Alaska have felt resentment that their long cry for help has not been heeded?

But Alaska is not to be thought of as continuing in her present industrial and economic condition. We are about, I trust, to make that country more intimately our own by building a Government railroad from the coast northward. Such road or roads will take away the terrors of isolation which have haunted those who live there. And with railroads a new Alaska will be possible—coal and iron, coal and copper, will be brought together, and where these come together, as all know, great communities arise. The coals of the Matanuska and the Bering River fields make excellent coke. We may survey the whole Pacific slope for any other body of similar or equally valuable coal. So that irrespective of what our Navy may require or of what Alaska's domestic and present industrial needs may be, the industrial development of the Pacific coast makes call upon Congress to place this fuel supply at the command of the people.

For seven years the coal of Alaska has been withdrawn from use. This has been an act of cruelty to the people of Alaska and an act of

injustice to ourselves. We know why it was done, because by fraud men sought to evade our laws and take to themselves that to which they had no right. Out of some 1,100 claims which were filed upon about one-half have been declared fraudulent, and the remainder are still unadjudicated. That discreditable episode is now a matter of history, which I am sure has fixed its lesson in the American mind. And now the opportunity has come to reopen the coal fields of Alaska under a method which will insure against private monopoly, and make Alaskan coal serve properly in Alaskan and national development.

The CHAIRMAN. We are a little pressed for time at this hearing, and I was wondering if you had time to submit to any questioning at all this morning.

Secretary LANE. I would like to do that at some later time. I must attend a Cabinet meeting at 11 o'clock.

The CHAIRMAN. Then at some later time we can have you with us.

Secretary LANE. I have here various representatives of my department. Mr. Smith, the Director of the Geological Survey; Mr. Brooks, who has been our surveyor up there for a great many years and who is thoroughly familiar with Alaska; Dr. Holmes, Director of the Bureau of Mines; and Mr. Finney, of the legal department, are present and will give you such information as you desire.

Mr. LEXROO. Is there some one present with whom we can take up the details of the bill?

Secretary LANE. Yes, sir; Mr. Finney, from our law department, is here.

The CHAIRMAN. We are very much obliged to you, Mr. Secretary.

Well, whom would you gentlemen prefer to hear next? Have you any preference among you as to who should make the next statement on the bill?

Mr. RAKER. Mr. Finney could go into the legal features of it, I understand.

The CHAIRMAN. He helped to draw the bill.

Mr. RAKER. Then I suggest that we have his explanation of the matter.

STATEMENT AND ANALYSIS OF BILL.

1. The total area of Alaska is 590,884 square miles, or one-fifth that of the United States.

2. The known areas of coal-bearing rocks of Alaska, according to the Geological Survey, include about 16,000 square miles (12,240,000 acres), and of this 1,210 square miles (774,400 acres) is pretty definitely known to be underlain by workable coal beds.

3. It is roughly estimated that the Bering and Matanuska fields each contain from one to three billion tons of coal, while it is estimated that the Nenana field contains 9,000,000,000 tons of lignite coal. The other fields do not present problems of immediate operation or consumption, and no estimate of the quantity of coal contained in those fields has been made.

4. The coal-land laws were extended to the Territory of Alaska by act of June 5, 1900 (31 Stat., 658), and further provision made for the disposition of those lands by the act of April 28, 1904 (38 Stat., 523), and by the act of May 28, 1908 (35 Stat., 424). None of these acts provided for a leasing system, but contemplated the issuance of fee patents in each case.

5. All unentered Alaskan coal lands were withdrawn from entry November 12, 1906. Since that time Alaska has been at a standstill and no development could or would go on.

6. The total number of claims presented in Alaska under coal-land laws is 1,126; the total number of claims canceled to date, 561; total number of claims patented, 2; number of claims now pending, 566, many of which have been held for rejection by the General Land Office. Some of the claims are almost ready for final determination; some are still being investigated for fraud or irregularity.

7. The bill (H. R. 14233) authorizes the Secretary of the Interior to lease in areas of 40 acres or multiples thereof upward to 2,560 acres. In the Bering and Matanuska fields, which are near the coast and are of known value, quantity, and area, small tracts will be leased. In the interior, where low-grade coal exists, larger areas can with safety and propriety be leased.

8. The Secretary of the Interior fixes the royalty, which shall not be less than 2 cents per ton, and, coupled with this, a competitive feature is added as an additional safeguard.

9. The bill contains a competitive feature pursuant to advertisement to determine priority of application; also to prevent favoritism, bringing increased revenues, etc., which is thought to be a wholesome method. It is thought this will be relief to the administration of the estate as well, for all applicants will have an equal chance.

10. The Secretary is authorized and directed to withdraw 5,120 acres of coal land for Army, Navy, and other Government use in the Bering and Matanuska coal fields of Alaska. He is also given discretionary authority to withdraw 5,120 acres in each of the remaining coal fields, but as to the latter-named coal fields back in the interior of the country the withdrawal of such areas is not mandatory, but within his discretion. This to some may seem to be a reservation larger than is necessary, when the land is to be only leased and the lease so well safeguarded, but it was the thought of the committee that the Government should have the cream of each field, and if this should prove unwise it could easily be restored.

11. No railroad is allowed to take a lease for commercial purposes, but is allowed to mine and work only for its own use.

12. Sections 5 and 6 prevent lessees from interlocking or owning an interest in other leases, providing forfeiture and penal provisions.

13. The lease period of 20 years may be renewed under new regulations, new royalties, etc., commensurate with justice and equity at that time, the annual rental to insure continued operation, with strong forfeiture provisions if continuity of operation is not afforded.

14. There is a 10-acre provision in section 8 for the purpose of aiding small miners, homesteaders, etc., in the development of Alaska free of royalty. The permit is only temporary.

15. Section 9 reserves rights to use of joint tunnels, rights of way, washeries, etc., made necessary on account of topography.

16. The Secretary of the Interior is also authorized to lease the coal deposits separately, retaining the surface area for agriculture when deemed feasible. This is thought to be highly important, so that the development and conservation of one may not retard the other. The ultimate success of Alaska demands the highest use of her every resource.

17. No assignment of all or any part of the leasehold shall be made without departmental approval. (See sec. 10.) This prevents dummy entries, consolidation, monopoly, one-man control, and a stifling of competition.

18. It is mandatory that each lease contain a provision authorizing subsequent supervision by the department, thereby insuring diligence,

skill, protection of the property, prevention of waste, and such other provisions for the benefit of the United States as may be necessary; the prevention of monopoly, the safeguarding of the public welfare, etc. This is perhaps the most far-reaching provision of the bill. Its practical operation will insure justice and equity, not alone at the start but all during the life of the lease.

19. Section 13 authorizes, in addition to specific requirements, the Secretary to make such rules and regulations as he may deem necessary. This enables the Interior Department, aided by the Geological Survey and the Bureau of Mines, to use combined judgment in making the will of Congress effective, workable, and of value to Alaska.

20. Section 14 provides in substance that this act shall not add to or take from the rights of claimants under old law, but the department shall adjudicate the remaining claims. It is not within the power of Congress to take from the claimant any vested right. It was not the will of the committee to grant any new or additional rights.

It has not been an easy task for your committee to bring to the House a bill that would be workable, that would open Alaska, bring revenue to help pay off the appropriation for the new railway, and still leave sufficient teeth in the measure to prevent abuses.

Your committee has been tireless in its efforts to accomplish the above. Neither selfishness, partisanship, or pride of opinion even presented themselves in the deliberations of your committee. During my seven years' service on the committee at no time has the committee striven harder to do its full duty than in this instance. Every line of the bill was carefully scrutinized, carefully weighed, and carefully drafted.

It is the thought that this is legislation that is imperative to make the railway a success and is needed even during the construction period. It may well be termed a companion bill to the Alaskan railway bill just passed. It is needed in Alaska now. The Territory has been tied up for eight years as tight as a drum. This will open Alaska; this will dovetail in with the railway bill just passed.

We submit this report to the House as our combined judgment.

Mr. STOUT. Mr. Chairman, I ask unanimous consent that I may proceed for 20 minutes.

The CHAIRMAN. The gentleman from Montana asks unanimous consent to proceed for 20 minutes. Is there objection?

There was no objection.

Mr. STOUT. Mr. Chairman, it is not my purpose to consume all of the time so generously allowed me by the chairman of the committee. I merely desire to submit a few general observations on this and others of the so-called conservation measures which have been reported to this House by the Committee on Public Lands. I would take this occasion to bring to the attention of the House some idea of the fidelity with which that committee labored for months on these great measures, and particularly to express my profound admiration for the patient industry and the rare judgment shown throughout weeks of unremitting and arduous toil on these measures by the chairman of the Public Lands Committee, the Hon. SCOTT FERRIS. Granting that all, or even some, of these measures are enacted into law, this Congress and the Nation at large will be under a burden of obligation to the gentleman from Oklahoma for the very large part he has played and the splendid manner in which he has played that part in bringing about constructive legislation, more far-reaching in its ultimate effects upon the industrial life and prosperity of the Western States and Alaska than any other act accomplished within a generation. As one of the new members of that committee, but one who, by reason of my location in one of the greatest, ay, the greatest, of Western States, I have been constantly gratified at the masterly conception shown by the chairman of our committee of the real purposes of sane conservation and at his complete knowledge of conditions which obtain in States and a Territory so far removed from his own. He has exhibited a degree of genuine statesmanship in the application of his industry and his knowledge to these problems which mark him for greater honors in his State and Nation as time runs along.

I am not altogether in accord with some of my very good friends from the far West, in so far as our views on the conservation measures now before this House are concerned. Perhaps it would be happier to say that while I agree with them as to the necessity of having the Nation's riches in those vast storehouses of the West developed, there is a divergence of opinion as to the attitude which the people of the West should assume toward the means and manner of development.

It must be confessed that the people of the West, and with very excellent reasons, did not lend enthusiastic indorsement of the so-called policy of conservation which was inaugurated some 10 or 12 years ago and reached the flower of its perfection during the régime of the tennish Cabinet. During that period we saw millions of acres of land upon which no trees were growing withdrawn from entry and incorporated in alleged forest reserves; we saw all coal lands and millions of acres under which there was not the slightest reason for assuming there was any coal withdrawn from entry, thus shutting out thousands of homeseekers who would otherwise have found homes upon those vast areas. I will not undertake to deny the possible necessity for some such action, but the ruthless manner in which this sudden passion for the conservation of our national resources

was inaugurated, the innumerable instances of injustice done to actual and prospective settlers, aroused intense resentment among all of the people of the Western States and created prejudices against an entirely meritorious movement which will be long in dying out.

It is just as well for those of us who live in the West and represent western constituencies to face the issue squarely and take our stand upon this great question. The Government has title to limitless wealth in our States. I wish we owned our coal lands and our phosphate lands and our forest lands as the people of other States own, occupy, and use the lands within the borders of their respective Commonwealths, but the hard, harsh, indisputable fact remains that we do not. Our only equity in these great properties, in addition to that which we hold in common with all of the other people of this Nation, is the rather doubtful privilege of policing them, building roads through them, and taking care of them generally while deriving no revenue or other immediate benefits from them. We may talk ourselves black in the face, we may declaim about the intangible rights of our States in and to these lands and resources, we may even cite court decisions to show that our interest is paramount to the interests of the people of other sections of the country, but opposed to us is a resistless public sentiment, based partly upon selfishness and partly upon the sincere convictions of thoughtful people, that these possessions are not ours but the Nation's. We can argue that our friends on this side of the continent are selfish in that, having exhausted their own resources or permitted them to pass into private ownership for exploitation or development, they now insist that resources of a similar character located in the Western States must be differently disposed of, but such arguments do not open up our coal mines, employ labor in the development of other mineral resources, or build dams across the streams which tumble down over the precipitous slopes of our mountain ranges.

I yield to no one in loyalty to the people of the West. They represent the best there is of our national life, those who have had the hardihood to forsake the firesides, the fields, the factories, and the stores of their eastern homes, to break the associations which bound them mightily to the haunts of their youth and turn their faces toward a new land, where expectancy is always to be joined with uncertainty. During my brief career in this body as a Representative of people of that type, pioneers, many of them, natives of far-off States, practically all of them, it has been my constant purpose to act for what I conceived to be their highest welfare. It is with that purpose in mind that I gladly yield support to the conservation measures which have been and will be brought before this House from the Committee on the Public Lands.

Mr. RAKER. Will the gentleman yield?

Mr. STOUT. I will yield to the gentleman from California.

Mr. RAKER. Does not the gentleman recognize a vast distinction under President Wilson's policy of conservation in the way of using our resources instead of reserving them and locking them up?

Mr. STOUT. I am going to touch upon that point in a few moments.

It has come to be not so much a question as to how the West shall be developed as that it shall be developed. I am convinced that the hope of many western people that the coal lands, the timberlands, the water power, the phosphate lands, the radium lands shall speedily pass into private ownership is a vain hope; that the sentiment of this Nation is overwhelmingly against permitting these resources to pass into private hands, and that such a sentiment is growing, rather than diminishing, in volume in this country, and I, for one, am willing to accept an inevitable situation rather than fruitlessly battle against it, and to exert my best endeavors toward deriving something to the advantage of my State from such a condition of affairs.

I would rather that the Government of the United States retain the title to the coal and other mineral lands in Montana and open up those lands for comprehensive development than that the question of ownership remain indefinitely a bone of contention while the minerals remain undisturbed in the bosom of the earth. I want to see the mighty waterfalls of my State harnessed and sending forth electrical energy to light the upspringing cities, to turn the wheels of great factories, to pull trains across the plains and mountain ranges, to light and heat the homes of the people of our wonderful State rather than to see them remain eternally unused. I want to see our unmeasured deposits of coal attacked by thousands of miners and brought forth to serve its purpose of usefulness to mankind rather than to have it remain forever locked up while we debate as to who owns the fuel. I desire development, not a constant stream of academic discussion as to whose right it is to

do the developing. Moreover, I have such faith in the fairness of the American people, in the justice of our Central Government, that no anxiety attacks me as I contemplate the enactment of measures which give that Central Government such a tremendous stake in the industrial life of the great State which I, in part, represent on this floor. [Applause.]

I can not withhold a brief expression of the gratification which I am afforded by the knowledge that it is my party which has undertaken this great task. As practiced in the past, conservation has meant stagnation, it has meant the opposite to progress. It required no particular foresight, certainly no vast degree of statesmanship, to withdraw these vast areas of forest and mineral lands. The stroke of a pen did that. But the efforts of our predecessors practically ended with that one stroke of the pen. They had apparently neither the inclination nor the capacity to take the next logical step forward and provide ways and means for opening up those resources for the use, the benefit, and happiness of our people. That work was left for us to do, and I am proud to say that we are doing it.

When the people of the West come to cast up the accomplishments of the present administration in so far as they affect them individually and as vast communities, they must of necessity admit that we have done much, infinitely more than any previous administration has to its credit. We have provided for the necessities of that wonderful land, Alaska, with a railroad law, to which the bill now before us is a companion measure. We have lightened the burdens of the settlers on reclamation projects. We shall have made possible the development of our water power and our coal deposits. We have brought into effect a more sympathetic system of dealing with the humble homesteader. We have inaugurated, through the Department of the Interior, reforms whereby patents can be more expeditiously issued, and, through an enactment of this Congress, have added a tribunal before which controversies over public-land matters can be hastened to a more speedy conclusion.

We have heard much of adjournment during the last few weeks. There have been times during the heat of the past summer when I peered with longing eyes in the direction of the snow-capped peaks of the Montana Rockies and prayed that just one refreshing breeze from that Eden land might strike across my fevered brow. In my dreams I have gazed upon the sweep of plain and heard the rippling of the snow-cold waters as they dashed down through mountain gorge and out across the verdant valleys of the Treasure State. I have been afflicted with every variety of homesickness known to science, including the congressional sort, which becomes most acute immediately before a primary election is to be held, but have succeeded in stifling the impulse to take flight for that far-away land. [Laughter.] I am now reconciled to any fate, so far as adjournment is concerned. I would really look forward with a strong sense of satisfaction to a continuous session, if by remaining here we can consummate the work which has been begun on this conservation program. My friends write that I am needed at home, and I expect I am. An election is to be held out there in Montana in a couple of months, and a couple of Congressmen are going to be elected. While I have the utmost faith in the discriminating judgment of the intelligent voters of Montana, accidents have been known to happen in politics, and, in a moment of thoughtlessness, a lot of people might fail to vote for me if I don't get out that way pretty soon and begin to demonstrate to them just what a real, Simon-pure statesman I am. That is the reason my friends think I ought to come home. However that may be, it is my judgment that we might as well stay here and finish what has been so excellently started. Let us conclude the trust program, let us put through the conservation program and two or three little bills which I have on the Unanimous Consent Calendar, and then we can quit with a feeling of security. If the unexpected should happen, if a lot of us should happen to fall by the wayside next November, the country will be reasonably well protected against the machinations of those who come in our places. I do not anticipate any such a calamity, but prudence would suggest that we safeguard our country against all possible contingencies. The enactment of these bills will be in the nature of a political war risk, which the country should be provided with, even if we have to stay here until the 4th day of next March. [Applause.]

Mr. Chairman, I desire to incorporate, as a part of my remarks, excerpts from an interview with Hon. Franklin K. Lane, Secretary of the Interior, by Sam Blythe, a constituent of mine, for the Saturday Evening Post. In response to the query, "What does conservation mean?" Secretary Lane said: "I don't know," he said earnestly. "What does any word mean? Just what you think it means. What does socialism mean, or inspiration, or personal liberty? Each means what your personal interpreta-

tion means to you; but it may mean something vastly different to another. And if your interpretation isn't in line with accepted standards or conventions it may mean a lot of things to you that you do not anticipate when interpreting." He stopped and laughed. "We're getting away from our mutton," he said. "Do you want to know what I think conservation means or what the general public thinks it means?"

I did not answer. Instead, I gave him another cigar, for I knew he was in his stride. He lighted the cigar, drew a few whiffs of smoke through it, looked to see that it was burning evenly, and began: "I take it that conservation means this: Know where you are going. Stop, look, and listen, but don't stand at the crossing forever. It means we shall not treat land as land if land is really water, which it may be if it is a reservoir site or a dam site. Don't call it land if it really is coal or phosphate or oil. Don't say that water is water if it really is peaches or alfalfa or apples or nitrates or electricity. If you have an Old Master—a Rubens or a Titian—don't dispose of it on the theory that it is a chromo."

"If you have coal in Alaska don't keep it there to boast of, but give it to the world generously; spend freely—like a gentleman, not like a prodigal. If you have water and desert, which separately will always remain just water and desert, but which when married will yield oranges, beefsteaks, and plum puddings, of course everyone should be in favor of the wedding, except the man who is grazing a few cattle on the desert and watering them at the river."

THE PRIVILEGED SONS OF MARY.

"When I was a boy, studying law in California, I wrote a series of articles protesting against the application of the doctrine of riparian rights to arid country. The standpatters of that day desired that the old English idea should obtain in conditions to which it was foreign. California would still be a country of wheat fields and cattle ranges almost exclusively if we hadn't changed the law and given the water to those who could put it to the highest beneficial use."

"Use! Use! Use! That's the word I emphasize—use! We have too much land that is not used, and too much water, and too many people who think they belong by divine right to the class Kipling describes as 'the Sons of Mary.' The world and the things therein belong to the people who use them, not to the people who want to speculate with them or to monopolize them, and to allow their own personal fortunes to be the one test as to when and how they shall be used. There is no real objection to monopoly if monopoly is the public servant and not the public dictator. The greatest wrong thing in our life to-day is the feeling of the workers that they are not really working for themselves. They get no response from their work except the pay envelope at the end of the week."

"We have too much long-range fighting. We don't see our shots hit. I went out with the fleet last year and we shot at an imaginary enemy that was nearly out of sight. It was a long time before we knew whether we had hit. That is modern warfare of all kinds. The imagination will have to expand a great deal before that kind of fighting is popular. That is the reason why monopoly, even if regulated, must be held down, because there are a whole lot of us who want to see our shots hit, who want to get some direct comeback from our work, and want to feel some of the thrill of the producer, whether artist or artisan."

"If we take from men the satisfaction of seeing their completed work and treating with it as their own—which modern industrial life does—we must expect demands for substitutes; for guarantees against poverty and sickness; for short hours of labor; for plenty of time for the expression of the individual in sports and other things. If work is to be deprived of imagination, initiative, and human interest, we must supply other fields for the play of imagination, initiative, and human interest. That's all there is to it."

"The conservation of a man's pride in his work is the best kind of conservation; and the land law or the commercial system that kills or dwarfs that pride is inimical to the best interests of the race. We are in a period of change. No one can tell with precision just what the condition of our society will be in another generation or two; but that is no reason for standing still and refusing to permit the development of water power, the reclaiming of lands, or the fullest utilization of our resources. No one can be sure he is always right. Only the adventurous succeed. I am against that conservation which ties the hands of the present because of its fear for the future. I am for that kind of conservation which means a reasonable utilization now, without putting too big a mortgage on the future."

"What I mean is expressed in the water-power bill now before Congress. The Government has saved a few good dam and reservoir sites on its public lands, though most of the readily accessible ones have gone into private hands. We wish these good sites used. We wish their waters turned into nitrates, as in Sweden, or into power, or put to other industrial uses; but, for example, electricity is still in its infancy. Indeed, it is only a-borning. No one can tell what will be the value of this water 50 or 100 years from now; but we can not wait until science and time have proved what may be its highest worth. This country won't stand for a dance that is all hesitation. So we have provided for a 50-year lease. At the end of that 50 years a new arrangement may be made if it shall appear best that the lessee shall continue to hold the property."

"It may be, however, that the States or the municipalities will want to go into the power business themselves by that time, and if so we shall be ready for them. Money that is invested must be returned. The person who is relieved of the plant at the end of 50 years should recover for the value of the works, for the investment. The land itself, which the lessees acquire for use, should be bought back at its original cost. The people must not be required to pay for the growth of the country, or should not. What will be the value of a right of way 500 miles long and 100 feet wide 50 years from now, when the country has 200,000,000 people? It might then be so valuable that it would be impossible for a municipality or a State to recapture the plant. Consider the present value of railroad terminals in the cities and their original values. We now have a law under which none but a revocable license may be granted for public lands; and under the operations of such a law money can not be raised for the establishment of these enterprises. The demand of the West is that we shall substitute a definite term and make reasonable conditions; and if we get such a law we have ample assurances that the power industry, which practically has stood still for years, will rapidly advance."

"The Government is not primarily interested in revenue from its resources or for them. What the Government is interested in is the making of homes; the giving of opportunities for farms, industries, and cities. What may be obtained for revenue is a secondary matter; but—and this is the main point—if we act wisely we can make the

West develop itself, and make the resources of the West bring in large revenue to the various States. The water-power bill and the oil, coal, phosphate, and gas development bills, which are now before Congress, provide that the revenues resulting to the Government in the way of royalties shall be used first for the development of irrigation projects; and on the return of these moneys 50 per cent shall go to the States from which the revenue has come and 50 per cent shall be used in the further development of arid lands."

MAKE ONE HAND WASH THE OTHER.

"Consider this for a minute. What would California's revenue be if she had even 5 per cent of the value of the oil that is taken from her ground? She would have no need of bonding herself for good roads or other improvements; or, if she did, there would be a certainty of repaying the bonds out of a fund that would embarrass no one. It would be so with the coal in Colorado, the oil in Wyoming, the phosphates in Idaho, the water power in Washington and Oregon, the minerals in Montana. The West is by far the richest part of this country if we take stock of her resources and use them wisely, making one hand wash the other."

"Congress is the business manager of this Nation, and the duty it recognizes is to take stock of resources and put those resources into the hands of the people in such a manner as to insure their best and widest use. That's why I think it would be a good thing for all of us here in Washington to go out over the country once in a while to see its resources and sense its spirit. It might not be a bad idea to have a summer capital out on some shoulder of the Rockies, from which we could look back over this great eastern country and see also, on the other side of the range, our magnificent Pacific coast."

The Secretary walked over to the topographical map of Alaska that hangs on the wall.

"Come here," he said, "and let me show you and tell you something about Alaska. We have taken \$500,000,000 out of the mines and fisheries of this empire, and all we have really done for that territory is to import 1,200 reindeer from Siberia. Let me suggest this question to you: If Alaska has yielded half a billion dollars without care or conservation or development or consideration, what will Alaska do if we develop that territory wisely and scientifically? The sum is too great for comprehension. Alaska has been locked up, and our first duty has been to open the door. The key to the door of every new country is a road. Caesar made wagon roads. We build railroads. We are planning a trunk line now. Thirty-five million dollars have been appropriated. The surveys are being made. Behind that railroad, and because of it, there will be farms, cattle ranges, and mines, and all these should be made to work together for the upbuilding of the country. The railroad won't pay for years, of course. No railroad that went into a new territory ever did pay at first. England and France and Germany have not waited in building railroads in South Africa until they knew the freight to pay interest would be forthcoming. They drive in their lines on faith, and some of their desert roads now pay as much as 9 per cent."

"But that isn't the point. Alaska will develop Alaska if we support her for a time with our credit. I hope for the passage of a coal-leasing bill for that country. It is now before Congress. After that we should give our attention to the management of the tremendous resources of that country. We have been letting Alaska drift. What we need now is some men, with authority and skill, to do the right work up there—men who will give their lives to its development."

"Of course, we might have organized a chartered company—an East India Company, say. That is the old-fashioned way. We found a sort of substitute for this in our land grants for the western railroads. These roads were, in a sense, the trustees for the Nation. I believe this country can now take another step forward and prove democracy's ability and capacity to manage a great property for democracy through fit agents, high-grade men, well paid and constructive, who will carry out on the ground the policies that Congress, in a large way, lays down for them."

"What we need is a board of administrative control in Alaska, working for Alaska. Under such wise management the country eventually would pay back every cent of outlay for her railroads and build her own wagon roads and telegraph lines. There is no dream concerning this country that may not come true. They laughed at Cecil Rhodes when he told of his dream of a Cape to Cairo railroad, but when a few hundred miles more are built that road will be a reality. I may live to see the day when Alaska will be connected by rail with Washington. I have talked of such a plan with Premier Borden, of Canada, and Premier McBride, of British Columbia. The construction of twelve hundred miles of railroad in Canada would bring the Grand Trunk Pacific to the Alaskan border. And do not forget that Alaska is our nearest mainland point to the Orient."

He swept his hand over the map.

"There is another thing about Alaska that isn't generally understood," he said. "I believe that Alaska will be one of the great summer resorts of the world, for its scenery is unsurpassed in grandeur and its summer climate is most salubrious. Let me remind you that beauty is a material resource of large value. We are growing more rapidly in our aesthetic sense than in any other. We are already conservators of natural beauty. The first great step in conservation taken by our people was to save scenery—not water or coal or forests, but scenery. That's what we did when we led the world by setting aside our great national parks—Yellowstone, Glacier, Mount Rainier, Yosemite, and the others. These we hope to make more surely pleasure places for the people by securing roads that will stand automobile traffic. Already, within three days of New York, the tourist can find scenery that can not be approached anywhere in Europe; and when we get Alaska open the beauties of that country will be the climax to those scenic marvels already set aside."

"How far has your conservation program been worked out?"

"There are five bills now before Congress, out of committee, and indorsed by the administration. These are the water-power bill; the Alaska coal-leasing bill; the oil, gas, phosphate, and coal development bill; the irrigation bill for the extension of the time of payment on reclamation projects; and the radium bill. They all fit together, and each was drafted with the requirements of the others in view. They represent no one man's theories or ideas, but are the composite productions of the leaders in Congress and men elsewhere interested in these things and having expert knowledge of them. They are not ideal. Idealism isn't possible yet in Washington."

"I hope these bills will appeal to the reasonable mind as the longest step toward what we want to do—the best we can do at this time. That, I take it, is real statesmanship. Every one of these bills is intended to lessen the likelihood of monopoly and bring our resources into use."

The Secretary stopped again and let his eyes range over the map of Alaska. Then he walked back to his desk.

"By George," said he, "I'd like to hold this place for 50 years and see how some of these things work out. I am trying every day, in one way or another, to help something grow where nothing has grown, or to bring some to light and to use that nature is concealing. The whole problem of civilization, as I view it, is to make nature serve us instead of allowing nature to run us."

He looked at the map of Alaska again and at the maps of some reclamation projects.

"Can we do these things under democracy?" he asked. "Can we decide wisely, select sensible men for our officers and develop in them initiative and responsibility? Can democracy—our democracy—do these things? If democracy can not, then we have no efficient Government; and democracy, having been put to the test and having failed, will go out. A government that will not do its work can not live. We are making progress. We trip over our own feet occasionally—we do a lot of blind groping, but we are going ahead even when we stumble. I am an optimist and I believe we shall win."

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. I shall support this Alaska coal-leasing bill for the same reason that the people of Paris ate horse meat during the siege of 1870. They had nothing else to eat, and the people of Alaska can expect little else except this bill. I shall not delay or hinder the bill in any way. I shall be inclined to oppose with my vote any and all radical amendments which are offered to it, and I am in hopes that this bill will go over to the other side of this building and meet the bill S. 4425, reported by Senator MYERS with an amendment, and that between the two we will secure a bill which will help Alaska in the matter of coal. This bill and the Senate bill have a good feature in common; that is, a limited license without royalty, authorizing the mining of coal for strictly local or domestic purposes, and the license is limited to 10 acres and a period of 10 years. My friends, if you are going to really help Alaska, when you stop to realize that within 40 days navigation will be suspended and Alaska will be locked up again for the winter, you should hurry some measure into law permitting the mining of 10-acre tracts which lie within 10 or 12 miles of some growing city, where they have been paying \$28 a ton for coal, so that the local people who live in Alaska may have the right to go out to a coal field and get a little coal to keep themselves warm. That is rational and reasonable.

Mr. CANTOR. That is applicable to the 10-acre fields.

Mr. JOHNSON of Washington. Yes; and it is most important. Now, Mr. Chairman, I can consistently support a leasing bill for Alaska and at the same time oppose the leasing bills which apply to the far Western States. The reason is this: Alaska is a Territory, and 98 per cent of its domain still belongs to the United States Government. The great Commonwealths of the West have received in their enabling acts the right to all resources within their boundaries, and have become States on the hope that the public domain would in time be homesteaded and belong to the actual governor-controlled domain of the States. Every lease that shall be granted in the States means that just that much mineral land, coal land, forest land, or water-power sites shall never revert to the States, which is an unfair discrimination against the States west of the Missouri River.

If the State of Washington should in 30 years have within its lines a population of 10,000,000 people—which is the population of New York now, and which is not at all improbable—the State would still find itself withheld from its riches and resources by the existence of 50-year leases subject to renewal. In Alaska a different situation exists. The country, bottled, throttled, and blanketed, must accept any system offered which will hold out any hope for its development.

Mr. Chairman, this bill offers opportunity to call attention to the fact that this bill is in principle somewhat similar to the public land leasing bill which has been broadly characterized by my friend from Alabama [Mr. HEFLIN] as a bill of no consequence. It has long been the belief of the people of the West that southern Members of this and previous Congresses pay no attention to measures affecting vitally our western interests; and in many of the cases they have, if in the city, come in when the bell has rung and have voted "no" if the bill means progress and have voted "yes" if it meant conservation and the locking up of our resources. I quote from the gentleman's remarks last Saturday:

Mr. HEFLIN. The roll calls the gentleman speaks of were had, the most of them, when there was no necessity for a quorum. The House was simply marking time, and the roll calls that were had were forced by the useless filibuster conducted by the gentleman from Illinois [Mr. MANN]. [Applause on the Democratic side.]

Mr. Chairman, I want to make it clear that during the consideration of the leasing bill, which concerned the public domain of 11 great Western States, that I, not filibustering at all, three times made the point of order that there was no quorum present in the Committee of the Whole, where at least 100 Members—the number necessary to make a quorum in committee—should be on the floor trying to decide a great problem for these West-

ern States, and which starts a violent change in our governmental operating system. Mr. Chairman, I desire to extend my remarks in the Record, and ask unanimous consent so to do.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. GOLDFOGLE. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. HEFLIN. Mr. Chairman, I will ask the gentleman to withhold that point for a few moments.

Mr. GOLDFOGLE. Very well; I will withhold it.

Mr. HEFLIN. Mr. Chairman, I move to strike out the last word. I have just listened to the remarks of the gentleman from Washington [Mr. JOHNSON] about the speech I made here, replying to the gentleman from Illinois [Mr. MANN], because of his useless filibuster during the summer. I repeat that there were many roll calls during that time when there was nothing of importance before this House, and to my friend from Washington, speaking about the Democrats and the southern Members, I want to say that the Democratic Party has done more for the West in the Sixty-second and Sixty-third Congresses than the Republican Party has done in 16 years, and southern Members have cheerfully supported all measures that help the great and growing West.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. JOHNSON of Washington. I want to ask my friend from Alabama if he thinks the laying down of a form of leasing in the great States of this Union, which in their enabling acts were entitled to the domain within their borders, is of benefit to the West?

Mr. HEFLIN. Mr. Chairman, I repeat—and I do not desire to consume the time of the committee longer—that when the history of this Congress is finally written the people of the West will rejoice over the fact that it has done more for the western people than the Republican party has done in 16 years of absolute control in both branches of Congress and in the White House. [Applause on the Democratic side.] This Congress is going to develop Alaska, develop that great treasure house for the benefit of the American people, and it is not, as the Republican Party was, permitting the corporate interests to gobble up all of that treasure for themselves.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. I can not yield now. The Democratic Party has gone into that vast treasure house. It is going to build a railroad into the very heart of it and develop it, to the everlasting good and glory of the people of the West and of the people of the United States. [Applause on the Democratic side.]

The CHAIRMAN. The gentleman from New York [Mr. GOLDFOGLE] has made the point of no quorum.

Mr. GOLDFOGLE. Mr. Chairman, realizing that there are some Members of the House attending to public business in the departments, in response to the demands of their constituents, and recognizing the fact that there are a number of Members of the House now actively engaged in the performance of public duties, not in actual attendance upon the floor of the House, but looking up matters so that they can intelligently discuss questions before the House, I do not raise the point of no quorum, and I will withdraw it.

The CHAIRMAN. The gentleman from New York withdraws the point of no quorum.

Mr. HUMPHREY of Washington. Mr. Chairman, I would like to have five minutes.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that the time for debate on this section and all amendments thereto may be limited to five minutes. There is nothing before the House except the pro forma amendment.

Mr. MANN. Except the gentleman from Alabama [Mr. HEFLIN], who made some slurring remarks about me, and I would like to be heard for five minutes.

Mr. FERRIS. Then I ask unanimous consent that debate be closed at the end of 10 minutes, 5 minutes to be controlled by the gentleman from Washington and 5 minutes by the gentleman from Illinois.

Mr. JOHNSON of Washington. Mr. Chairman, I will ask the gentleman to yield me five minutes.

Mr. FERRIS. Very well; make it at the end of 15 minutes.

Mr. HEFLIN. Mr. Chairman, I desire to have three minutes.

Mr. FERRIS. I hope the gentleman from Alabama will not ask for any more time.

Mr. HEFLIN. If the gentleman from Illinois proposes to reply to my remarks, and also the gentleman from Washington, then I want to have three minutes.

Mr. FERRIS. We do not want to carry on a joint debate. Republicans, Progressives, and Democrats have helped make this bill, and it is not partisan; partisanship should not creep in.

The CHAIRMAN. What is the request of the gentleman?

Mr. FERRIS. I ask unanimous consent that at the expiration of 15 minutes all debate close on this paragraph and amendments thereto.

Mr. HEFLIN. I will have to object to that request unless I get three minutes additional; make it 18 minutes.

Mr. RAKER. Mr. Chairman, reserving the right to object, and I hope I will not be compelled to do so, the rule adopted for the consideration of this bill requires that debate shall be confined to the bill—that was general debate.

Mr. HUMPHREY of Washington. We are aware of that fact.

Mr. MANN. Why does not that side enforce the rule, then.

Mr. RAKER. We are under the five-minute rule now. I am not going to object to the gentleman's request for time, but I trust we will not get into a political discussion upon this bill.

Mr. MANN. If that side does not desire to get into a political discussion at this time why do not you enforce the rule? That side can not enforce it against this side and not against the other.

Mr. RAKER. Reserving the right to object, I will say to the gentleman from Illinois I have not objected either to him or to any other Member of the House, and I hope I will not be compelled to try to use the limited power I may have as one Member to enforce the rule and object. I believe we can get along by being reasonable with ourselves about the bill.

Mr. MANN. On those few occasions when the gentleman from Alabama addresses the House he has usually indulged in political debate, but that is not very often, because he is not here very often.

Mr. HEFLIN. The gentleman's remark about my not being here often is not true.

Mr. MANN. Here is the gentleman's record, which I want to get in.

Mr. HEFLIN. I did not understand the gentleman's last remark.

Mr. MANN. I have got the gentleman's record.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of 18 minutes, 5 minutes to be controlled by the gentleman from Washington [Mr. HUMPHREY], 5 minutes by the gentleman from Illinois [Mr. MANN], 5 minutes by the gentleman from Washington [Mr. JOHNSON], and 3 minutes by the gentleman from Alabama [Mr. HEFLIN], all debate be closed on this paragraph and all pending amendments.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the expiration of 18 minutes, 5 of which to be controlled by the gentleman from Washington [Mr. HUMPHREY], 5 by the gentleman from Illinois [Mr. MANN], 5 by the gentleman from Washington [Mr. JOHNSON], and 3 minutes by the gentleman from Alabama [Mr. HEFLIN], all debate upon this paragraph and all amendments thereto shall cease. Is there objection?

Mr. DONOVAN. Mr. Chairman, reserving the right to object, in all fairness the time is not divided in an equitable way. Now, if we should give the gentleman from Alabama five minutes it would be more in keeping, for surely the minority here, consisting of only one-half of the membership, should not receive two-thirds of the time.

Mr. HEFLIN. I will accept the gentleman's amendment.

Mr. DONOVAN. I am going to suggest that five minutes be given to the gentleman from Alabama.

Mr. FERRIS. Three minutes is all the gentleman from Alabama requested.

Mr. DONOVAN. I am going to insist upon that, Mr. Chairman, or I shall object. In all fairness the gentleman ought to be given five minutes.

Mr. MANN. Mr. Chairman, I ask for the regular order.

Mr. JOHNSON of Washington. Mr. Chairman, I will yield two minutes of my time to the gentleman from Alabama.

The CHAIRMAN. Is there objection?

Mr. DONOVAN. Mr. Chairman, I move to amend the motion of the gentleman from Oklahoma by making it five minutes to the gentleman from Alabama.

The CHAIRMAN. The gentleman can not do that, because the gentleman from Oklahoma has made a unanimous request for 18 minutes. Is there objection?

Mr. DONOVAN. Mr. Chairman—

Mr. HEFLIN. The gentleman from Washington yields me two minutes.

The CHAIRMAN. Is there objection?

Mr. DONOVAN. If the gentleman from Alabama has five minutes; if not, I object.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that each of the gentlemen named may have five minutes.

The CHAIRMAN. The gentleman from Oklahoma amends his request making it 20 minutes, 5 minutes each to the various gentlemen named and 5 to the gentleman from Alabama. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREY of Washington. Mr. Chairman, I always listen with delight to my distinguished friend from Alabama [Mr. HEFLIN], and I hope that the gentleman from Illinois [Mr. MANN] will not criticize the gentleman from Alabama for talking about what occurred when the gentleman from Alabama was not present, because those of us who have listened to the gentleman from Alabama these many years know that the less he knows about a question the better speech he can make about it. To demonstrate it, a moment ago he told us of the great things the Democratic Party had done for the West. Yes; this administration has done something for the West. In the first place, it placed the workmen of the Pacific Northwest in competition with the Chinese and Japanese. Each month since this Democratic tariff law has been in effect there have been more shingles brought from British Columbia than during any one year before. The Democratic Party has taken away \$2,000,000 a month in wages—

Mr. RAKER. Will the gentleman yield for a question?

Mr. HUMPHREY of Washington. No; I do not want to be interrupted now. The Democratic Party has taken away \$2,000,000 a month from the American citizens in the State of Washington and given it to Chinamen, Hindus, and Japanese across the line. Now, they are coming in here to-morrow to ask us to help them make up a deficiency in the revenues, when if they had kept the tariff upon the timber products of the West they would have received a large amount of duty that the Government has lost. Not only that, but they have taken the tariff off of farm products, and under this Democratic administration they are bringing eggs from China into the city of Seattle. Of course, those people ought to be very proud of the fact that the Democratic Party has given them the opportunity to buy Chinese eggs. Our people upon the Pacific coast are very proud of the fact that they can now buy beef brought in from Australia. They are proud of the fact that the Japanese are selling corn on the Pacific coast. This administration has done a great deal for the Pacific coast! This administration, in spite of its platform pledges, in spite of the promises of its candidates, repealed the Panama Canal act and turned the advantage of that great achievement over to British Columbia. We on the Pacific coast are very proud of the Democratic Party! We appreciate the great achievements they have made! After we have expended millions of dollars anticipating the opening of the Panama Canal the Democratic Party violated its pledges to the people, violated the promises made to us, and, at the request of the transcontinental railways and in order to buy English friendship, turned the advantages of the canal over to British Columbia. Not only that, but a few days ago you passed a shipping bill. You took care of the South and New England. You provided that they might have ships to carry their products, but you refuse to grant relief to the Pacific coast. Oh, we upon the Pacific coast ought to praise the Democratic Party! Then, following that up, here the other day you passed another shipping bill. You are not satisfied to give New England and the South ships to carry products in this great emergency, and denying to the people on the Pacific coast ships to carry their lumber, but you pass another bill to send the ships that come into Puget Sound across to Vancouver. My friend from Alabama had better look up the records. He knows as much about the Pacific Northwest and what is taking place as he knows about what was taking place on the floor of this House when he was away. And my friend from Illinois [Mr. MANN] will satisfy him and the House in a few minutes as to just how much time he has spent here.

Mr. MANN. Mr. Chairman, one charge will never be made against the gentleman from Alabama [Mr. HEFLIN]. No one will ever in the wildest flight of imagination charge him with being accurate in any kind of a statement. [Laughter.]

The gentleman from Alabama the other day returned to the House in a moment of virtuous feeling after an absence of some time and immediately made a speech in favor of the docking resolution. And as soon as he had made his speech, again he left town. But the persuasive eloquence of the docking resolution has recalled him. He has many qualities for entertainment in the House. He entertains both sides of the House at times with funny stories, which is his long suit, and often entertains both sides of the House with a

political discussion, because this side of the House smiles at his wildness, and even his own side of the House does not take him seriously on such subjects.

I have a list of the gentleman's absences, but out of regard for the Members of the House I shall not insert it in full in the Record. On some very important subjects, when we have had a vote, we have missed the genial presence, the influence, and the vote of our friend from Alabama. Recently the President urged Congress to pass an emergency currency bill, which was done without the aid of the gentleman from Alabama. The President was asking that Congress should come to the relief of the country on a very important proposition, but the gentleman from Alabama was not here responding to the call of duty. We had a general dam bill, in which the gentleman from Alabama was vitally interested. We all remember the noble fight that our friend from Alabama made on the Coosa Dam bill a year or two ago and how he marched up to the slaughter and was slaughtered. Here was a general dam bill vitally interesting his section of the country. We had a big contest over it here, but the gentleman from Alabama was not present. Of course we can recall some of the funny stories that he told when the old Coosa bill was up. Maybe they had just as much effect as if the gentleman from Alabama had been here. I at least congratulate the other gentleman from Alabama [Mr. UNDERWOOD] upon the accomplishment of what seemed to be almost impossible. It did look for a long time as I glanced over the record of absences of my genial friend from Alabama [Mr. HEFLIN] as though it would be impossible to secure his smiling countenance here in order to tell us a joke once in a while. But the other gentleman from Alabama [Mr. UNDERWOOD] has produced his colleague. He is here, and I do not doubt that he will stay.

Now, the gentleman from Alabama said that his absences had been because I was filibustering in the House. There have been occasions when I have filibustered in the House. The gentleman from Alabama, unfortunately, sometimes has been here, but the gentleman from Alabama has not been absent at the time of filibustering at this session of Congress, because we have had very little filibustering. Last summer I was not filibustering. I was endeavoring to make the gentleman from Alabama [Mr. HEFLIN] come to town and be present on the floor of the House and do the work for which he was being paid, but I was not as bright as the gentleman's colleague [Mr. UNDERWOOD]. I had not discovered section 40 and the way to put it in force. Possibly if I had brought up section 40 last summer, when most of the Democrats were absent while the House was in session, I could have persuaded the gentleman from Alabama to appear.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I did not intend to bring up all this wrangle when I quoted from the speech last Saturday of the gentleman from Alabama his statement that Congress had simply been marking time when these bills referred to by the distinguished leader of this side, the gentleman from Illinois [Mr. MANN], and others, were considered and passed. Referring to the statement of the gentleman from Alabama [Mr. HEFLIN] that the Democratic Party has done so much for the West, I want to call attention to a very serious matter recently started and now happening out in the Northwest as the direct result of the Underwood tariff bill.

Mr. Chairman, as the time for the passage of the Underwood bill approached, British Columbia, by an order, prohibited the exportation of logs into this country. The idea of the Canadians of the far West was that they would force orders for the manufactured product to the cities of British Columbia. Their idea also was that American capital would cross the line in order to manufacture. Much American capital did cross. But the lumber business has not been very good out there for a year or more on either side of the boundary line, and 10 days ago British Columbia, again by order of council, lifted the embargo which prohibited the sending of logs to this country, and then slap-bang, there came across the line 250,000,000 feet of logs, which had been lying unsold in the waters of British Columbia.

The newspapers of the British Columbia cities promptly announced that those logs had been sent across the line to sell in our markets at whatever they would bring, and that more would be dumped on us in order to keep the men in the camps of British Columbia employed and to bring money into their banks. You see, owing in part to the war, British Columbia has lost its over-seas lumber business, and they have performed what is, perhaps, the most outrageous case of dumping in recent years. What do they care if we, too, on the

American side have lost a part of our foreign cargo lumber trade?

Mr. TOWNSEND. What became of those logs when they came over the line into this country? Were they not manufactured in this country and wages paid here for doing that?

Mr. JOHNSON of Washington. That is easy to answer. Before those logs came, the manufactured product of our own logs were shipped clear across the country right into the district of the gentleman from Alabama [Mr. HEFLIN], to the retail yards down there and to other South Atlantic points. We pay the freight and throw in the logs. Why, Mr. Chairman, we are actually shipping fir doors, made in the county of Chehalis, State of Washington, in the farthestmost northwest corner of the United States, diagonally across the whole United States and selling them down South for a few cents less than what the southern pine-door manufacturers sell their product for. We do it simply to keep the wheels going round. The consumer is not benefited a penny.

Mr. TOWNSEND. The gentleman knows that shingles sold for 50 cents less a thousand in New York since then?

Mr. JOHNSON of Washington. British Columbia shingles, I presume; but I am not talking about shingles. I am talking about doors. Besides, I do not find that shingles have made such a drop. Yet, perhaps the "dumping" of them from Canada has begun; that is the new reciprocity.

Now, then, think of it. In Richmond, Va., and in Washington, D. C., and in Birmingham, Ala., we are sending, with the longest freight haul in the United States, diagonally across the country, carloads of fir doors, manufacturing them out there simply to keep the wheels moving around and to keep men employed, because they can not eat the logs which British Columbia dumps on us. We are manufacturing these doors simply to keep our laboring men going, and we are selling you fir doors, regardless of the cost of the lumber. If that is either good Democracy, good conservation, good Americanism, or good sense, I will have to be shown. [Applause on the Republican side.]

Mr. BRYAN. Mr. Chairman, will the gentleman yield a minute to me?

Mr. JOHNSON of Washington. I yield to the gentleman. But I wanted to make this point, though, that the dumping of these logs will close many lumber camps in my district, and by this time, I presume, has thrown 30,000 men out of work. If not, it will, sooner or later. I will yield to my colleague for a question.

Mr. BRYAN. Mr. Chairman—

The CHAIRMAN. The gentleman can not yield any part of his time under the five-minute rule.

Mr. BRYAN. The gentleman is yielding to me for a question.

The CHAIRMAN. But the gentleman can not yield.

Mr. BRYAN. But the gentleman is yielding to me under the rule.

The CHAIRMAN. He can not yield under the rule.

Mr. BRYAN. Is my colleague's time up?

The CHAIRMAN. No; he still has a minute remaining. He can yield for an interruption.

Mr. JOHNSON of Washington. Mr. Chairman, allow me to talk to this subject a moment more. Those logs which British Columbia has dumped on us should have paid a tariff tax. The income of the United States is short something like \$80,000,000, and a war measure is now in process of formation for the purpose of raising \$100,000,000 needed by this Government. Does anyone suppose that these gentlemen who talk about what they have done for the West will lay a war tax on the importation of saw logs? A tariff tax of \$1 per thousand on the next 250,000,000 feet that come in would produce \$250,000 in revenue, which might help some, and would not add a penny to any man's new house or barn. But no. Rather than tax the imported logs, I presume the special-tax bill will lay a levy on the plug tobacco that the loggers of my country will chew while they are sitting around contemplating the fact that British Columbia loggers are at work. And the owners of our logs will continue to pay constantly increasing taxes and bend every effort to keep a new and growing country alive and active.

One more word about the pending bill. I do not like its principles at all, but I desire to give Secretary Lane credit for long, hard work on this and other western measures. My only regret is that he seems to have fallen away from the western viewpoint. The chairman of this committee, too, the gentleman from Oklahoma [Mr. FERRIS], has worked long, earnestly, and hard. I really believe he and the members of his committee have put in more days and longer hours at work in their committee room this session than any other, and on the meanest problems, subject to the greatest discussion of an academic nature. Who says that Mr. FERRIS and his committeemen shall

be measured for public duty by the roll calls they have missed?

Secretary Lane, as well as the chairman of the Committee on the Public Lands [Mr. FERRIS], have in mind a bill for the consolidation of the governmental affairs of Alaska under one management—under a sort of commission to be run with the Interior Department alone at its head rather than to have Alaska run by four or five departments, with great overlapping, as well as great unnecessary overhead expense. Consolidate the management. That will be real conservation. Make it apply to the public-land States as well. If we are going to clean up Alaska and the West, let us clean it up right, and I do not care what party is in power when it happens. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HEFLIN. Mr. Chairman, the gentleman from Illinois [Mr. MANN] states that I was absent when the water-power bill and the currency bills were up for consideration. I was present both times and took part in the debates on both propositions.

The gentleman from Illinois speaks of my being inaccurate in the statements that I make, and says that I sometimes tell a story. I will tell a story now. The gentleman from Illinois reminds me of the old fellow that Senator Bob Taylor—peace to his ashes—told about down in Tennessee. This old fellow had the reputation of being a common liar, and when the neighbors saw him coming they said, "Yonder comes the liar." [Laughter.] One day they persuaded him to go to town, and then they prevailed on him to go to the theater and hear the Italian orchestra. He took a seat on the front row. One of the performers stood in front of him on the stage with a flute in his hand, and just then the leader, looking toward the man in front of the old fellow, said, "Apollo, strike the lyre." The old man recognizing his "title," threw his hands up and said, "For God's sake, don't, gentlemen." [Laughter and applause.]

Now, Mr. Chairman, I was amused to see my old friend from Washington [Mr. HUMPHREY] rise again. He used to be very noisy with his calamity howls, but he has been rather quiet here of late. He is harping now on shingles. We shall have to name him "Old Shingles." [Laughter.] The tariff has not injured the shingle industry. The European war has injuriously affected many lines of business here. [Laughter on the Republican side.]

Mr. JOHNSON of Washington. It is producing the dumping of Canadian products into the United States.

Mr. HEFLIN. The gentlemen on that side are so hard pressed for argument that they are undertaking to lay conditions created by the war on the Democratic tariff law. [Renewed laughter on the Republican side.]

Why, Mr. Chairman, the Democratic Party has done more for the western people in a few months than the Republican Party did in 16 years. [Applause on the Democratic side.]

It has appropriated \$35,000,000 to build a railroad up in Alaska and to open up that Territory and develop that great property. It has passed the water-power bill for watering the public lands in the West. It has given those people an extension of time on the irrigated lands. Rather than force them to make payment now, which they could not do, the Democratic Party has extended their time and saved to them their homes. [Applause on the Democratic side.] You Republicans used to talk about reclamation and conservation. The kind that you gave the West was the kind that stifles and kills. The kind of development that you made in the West was the kind that locked up and prevented development. [Applause on the Democratic side.] That was the kind of work you did for the western people; but the Democratic Party has responded to the wishes of the people of the West. Its platform said this development should be made. Your stand-pat platform said it should be made; but the Democratic Party is the party of action; it is the party that kept its promise and made this great development in the West. [Applause on the Democratic side.]

Now, we have got the Alaskan coal bill up. We are still responding to the wishes of the people of the West. We are still giving them the legislation that they demand and that they so much need. We have passed the homestead bill for them, too; and you gentlemen, conjuring up your little campaign arguments in this House to put in your little pamphlets to send out there, do not think you can deceive the people now. They are too well informed about the work of this Democratic Congress. They know that it is a Congress that has borne fruit to them, and "by their fruits ye shall know them." [Applause on the Democratic side.]

This House has stood by a Democratic President, and when the final roll is called and this Congress is adjourned—

Mr. YOUNG of North Dakota. When? [Laughter on the Republican side.]

Mr. HEFLIN. There will be more beneficial legislation, more constructive legislation, to the credit of the Democratic Party, within 15 months than has been placed to the credit of the Republican Party in 16 long years. [Applause on the Democratic side.]

The gentleman from Illinois [Mr. MANN] wants to harp on my record. I am willing for him to do that, but that will not excuse you for your devilment; not at all. [Laughter.] You will be thrashed from head to foot in the election in November. I see faces now that I will soon see on that side no more forever. [Laughter on the Democratic side.] I predict that the gentleman from Washington [Mr. HUMPHREY] will be one of that kind. His fight for predatory wealth, his fight for entrenched privilege in this House, will be enough to damn him before an intelligent constituency.

Mr. HUMPHREY of Washington. Applause! [Laughter.]

Mr. HEFLIN. Mr. Chairman, the gentleman from Illinois [Mr. MANN], with his filibustering tactics, has been obstructing the business of this country by demanding roll calls. A while back, when there was nothing doing, the majority leader tried to get him to agree to recess three days at a time, and he would not do it. There was no necessity for our being here at that time. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SAUNDERS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 15657. An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 657) to authorize the reservation of public lands for country parks and community centers within reclamation projects in the State of Montana, and for other purposes.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to return to the House, in compliance with its request, the bill (H. R. 17511) to authorize the Great Western Land Co. of Missouri to construct a bridge across Black River.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 47.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 4th day of September, 1914, at 12:30 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

LEASING OF COAL LANDS IN ALASKA.

The committee resumed its session.

The Clerk read as follows:

Sec. 2. That the President of the United States shall designate and reserve from use, location, sale, lease, or other disposition not exceeding 5,120 acres of coal-bearing land in the Bering River field and not exceeding 7,680 acres of coal-bearing land in the Matanuska field, and in addition the President may, in his discretion, designate and reserve from use, location, sale, lease, or other disposition not exceeding 5,120 acres of coal-bearing lands in each of the other coal fields in the Territory of Alaska: *Provided*, That the deposits in said reserved areas may be mined under the direction of the President when, in his opinion, the coal is required for Government works or in the construction and operation of Government railroads, or is required by the Navy or is necessary for national protection or for relief from oppressive conditions brought about through a monopoly of coal.

Mr. MONDELL. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The gentleman from Wyoming offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, strike out all of section 2.

Mr. MONDELL. Mr. Chairman, I am willing to withhold my motion if any gentleman has an amendment to offer to perfect the section.

Mr. RAKER. It is already perfected.

Mr. MANN. Mr. Chairman, I move to strike out the proviso.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 22, beginning with the word "*Provided*," strike out the remainder of the paragraph.

Mr. MANN. Mr. Chairman, the language which I have proposed to strike out reads:

Provided, That the deposits in said reserved areas may be mined under the direction of the President when, in his opinion, the coal is required for Government works or in the construction and operation of Government railroads, or is required by the Navy or is necessary for national protection or for relief from oppressive conditions brought about through a monopoly of coal.

That is a very broad power to give to the President, not for immediate exercise, but as permanent law for the future. Congress easily takes care of questions of that kind where any necessity exists, and I think it has been the invariable rule in the past not to confer such a broad power as this upon the President when there was no emergency for its use, but when it was to remain as a permanent statute. With this provision in the law, very likely not to be changed, 50 years from now the President, directly contrary to what may then be the wish of Congress, is authorized to go into the coal-mining business. I do not see any occasion for conferring this power upon the President now. If there be any occasion, the power ought to be limited and then conferred; but to give to the President, at the solicitation of nobody, the power to embark the Government in the coal-mining business, without any restrictions whatever, is to do something which Congress certainly never thought of doing before, and to deprive Congress of the legislative power which it ought to retain to itself. We at any time can grant such power when it is necessary; but in the beginning to say that we abdicate our functions and turn the power over to the President is to go further than we have ever gone before, and the Lord knows that we have often gone a great way before in granting autocratic and absolute power to the Executive. I am not in favor of abdicating the legislative functions of Congress. [Applause on the Republican side.]

Mr. BRYAN. Mr. Chairman, I certainly hope that the amendment proposed by the gentleman from Illinois [Mr. MANN] will not prevail. I believe this proviso is one of the very best in the bill. I certainly do not object because of the fact that the President may at some time enter into the operations that are mentioned in the section, but the only objection I have to it is because it does not direct him at once to enter into that kind of operations. The proposition to mine the coal that belongs to the United States Government for the railroad that we are building by the Government, instead of allowing some private concern to mine it and sell it to the Government at a profit, ought not to excite any opposition here on this floor. The fact that the Government on one of the reclamation projects is mining coal for the use of the project and for the use of the enterprises on that particular reclamation project ought not to occasion any particular objection. It ought to be a source of gratification. I think we ought to be very glad to give the President that power, and the fact that he may use it is the only good feature about it. I should like it to be so that he had to use it. When we were discussing the Alaskan railroad bill here a short time ago the gentleman from Oklahoma [Mr. FERRIS] suggested that no one would want Uncle Sam to go, pick in hand, into Alaska to mine coal; but this bill shows that it is necessary, under the conditions mentioned here, for the Government to mine coal.

Of course the last provision is a broad one, where it says that the Government may mine coal not only for national defense but to interfere with monopolistic conditions. That means that in time Uncle Sam, in one of the vessels owned by the Government, will bring a boatload of coal down to Seattle and sell it to the municipality or sell it to the people, or take it down to San Francisco and sell it, or send it through the canal and sell it over on the east coast, and see to it that a monopolistic condition in the sale of coal to the people is not permitted. I think it is a splendid provision, and I think we ought not to hesitate a moment to agree to it, and that the amendment ought to fail.

The Pacific coast, and Seattle in particular, will derive great benefit from the opening of these coal lands. Private interests may be slow about opening them, while a monopoly is maintained and the people suffer from exorbitant prices. Great manufacturing plants will develop both in Alaska and on Puget Sound. Coke will be produced and smelters will be established for smelting ores. The impetus from Alaskan development is already apparent in Seattle. New sawmills are being constructed greater than ever before, and the outlook for the export of lumber to Australia and Asia has been brightened rather than darkened by recent developments.

I want to say to the southern Members who are interested in the marketing of their cotton that Seattle has become an important port for exporting cotton; over 100,000 bales were exported through Puget Sound ports last year. Government coal properties in connection with the Alaskan railroad and the great

lumber production of Puget Sound will stimulate shipping activities through the port of Seattle.

The Government is to establish great steamship lines, and surely one line will be run between Seattle and Australia and Asiatic ports. I have taken up this feature with the Treasury Department and have been assured consideration.

I do not want the impression to gain a foothold here that Seattle is now or has been facing a calamity. We are prospering out there.

Mr. RAKER. Mr. Chairman, I am opposed to the amendment to strike out the proviso. This provision was fully considered by the committee, and the unanimous vote of the committee was in favor of the principle embodied in the amendment. Now, this simply gives the President, if he so desires, the power to conduct mining operations not in the general Alaskan coal fields, but only on particular tracts, namely, in the Bering coal fields, where we reserved 5,120 acres, or the Matuska field, where we reserved 7,680 acres, or in any other known field, 5,000 acres. The President may do this when in his opinion it is necessary for the construction and operation of the Government railroad. The sum of \$35,000,000 has already been appropriated, and the bill has passed giving the President the power to construct this railroad. At the present time no coal is being used. Reservations are made in this bill for that purpose. Why should not the President, in the construction of the railroad and in connection with it, if it becomes necessary, mine the necessary coal for the proper economical building and even running of that railroad?

Second. When it is required by the Navy, when coal is being carried from five to twelve thousand miles for the use of the Navy, why should not the President be given this authority, if, in his judgment, it is to the interest of the safety of this country, to mine the coal in these reservations for this purpose?

Mr. COOPER. Will the gentleman yield for a question?

Mr. RAKER. I yield to the gentleman.

Mr. COOPER. Does not the gentleman think that in line 25, page 2, the word "and" should be "or"?

Mr. RAKER. No; it was evident that if the Government constructed, which it will, the railroad, and until it has been turned over to some one else the Government will operate the railroad, and when it does operate it, and while it operates it, the President, representing the Government, ought to mine, if it is so desired, sufficient coal to run the Government railroad. Therefore it ought to be first the construction, and when constructed the operation of the railroad.

Mr. COOPER. Suppose it is constructed, then there would be nothing but the operation; you want him to have the matter of construction or the operation.

Mr. RAKER. It means that he is to have the construction and the operation as long as it runs. That was the view of the committee on the matter.

Now, fourth, it is necessary for national protection. We have got the coal fields, we have got the railroad, we have expended our money, and why should not Congress trust the President to use his judgment as to whether for purposes of national protection he should send a force there to have coal on hand for the Navy as well as for the protection of the country? And, lastly, if a condition is brought about through monopoly that burdens the people, he should have this right.

It seems to me that this is the opportunity that the people have been praying for for years—that the Government might step in and, in times of cold weather, when railroads have prevented the delivery of coal, when thousands of tons were within 4 or 5 miles of the city, the Government might step in. I have been informed that at one time there were thousands of tons of coal within 4 miles of the city of Washington which could not be delivered; that people were paying exorbitant prices and going cold for the want of fuel. Here is an opportunity for this Congress to say, when such conditions exist, that on these lands that have been reserved the President might, under the public laws and for the benefit of the great consuming public, after we have provided for the construction and operation of the railroad, after we have provided for the Navy, after we have provided for the national defense, that we should look out for the conservation of the lives, look out for the interests, look out for the home, look out for the family, when monopoly has so squeezed out the means of the public that little children are practically frozen almost within the confines of our own capital.

Therefore I believe that this is the opportunity for this House to say we will end that condition of things. Let us leave the provision as it is and trust the President to carry out the provisions of the law.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of 11 minutes debate on this amendment be closed; 5 minutes to be used by the gentleman from Illinois [Mr.

MADDEN], 5 minutes by myself, and the remainder to the gentleman from Maryland [Mr. LEWIS].

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on the pending amendment be closed in 11 minutes. Is there objection?

There was no objection.

Mr. LEWIS of Maryland. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the subject of bills of a more or less distinctive labor character which have passed this and preceding Congresses.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

[Labor is one of the great elements of society, the great substantial interests on which we all stand. Not feudal service, or predial toil, or the lksome drudgery by one race of mankind subjected, on account of their color, to another, but labor, intelligent, manly, independent, thinking and acting for itself, earning its own wages, accumulating those wages into capital, educating childhood, maintaining workshop, claiming the right of the elective franchise, and helping to uphold the great fabric of the State—that is American labor; and all my sympathies are with it, and my voice, till I am dumb, will be for it.]

Mr. LEWIS of Maryland. Mr. Chairman, I have been requested by Members of this House to review the bills affecting labor which have passed this House in the Sixty-second and Sixty-third Congresses. This, doubtless, because I am chairman of the Committee on Labor. I do not propose this afternoon to rehearse the customary platitudes about labor. They are as distasteful to working people as they are valueless to them. Nor do I intend to claim that the labor problem has been solved by legislation arising in this Congress. We know that at best we have merely alleviated some of its conditions. Nor, sir, do I mean to proclaim a philosophy for the adjustment of labor problems, however enticing such a discussion would be. I do mean, however, to briefly review some of the legislation which has been initiated and completed since you took that chair and restored to our institutions a real House of Representatives and to the people the right to legislate in this Hall.

Mr. Chairman, the political revolution which has given you your chair has meant much to the people generally, but it has proven especially significant to the ranks of labor. It is something more than a coincidence that the following measures could not be passed through this House, or even considered, under the rule of Cannonism, and that they have been passed almost without opposition since the party of Woodrow Wilson and of CHAMP CLARK has been entrusted with legislative power.

BILLS NOW LAWS.

First. The 8-hour bill, extending the operations of the 8-hour law to work done for the Government as well as work done by the Government.

Second. The bill providing an 8-hour day for all female employees in the District of Columbia, a jurisdiction over which Congress has complete power to act. This law is now in actual operation in the city of Washington, without any of those grave business disturbances which overfearful persons had been led to expect.

Third. The dredge workers' 8-hour bill, to remedy a decision of the Supreme Court that men engaged in dredging work in our rivers and harbors are not laborers and mechanics, but seamen, and therefore did not come within the provisions of the general 8-hour law.

An 8-hour provision included in the fortification bill to apply to civilians engaged in the manufacture of ordnance and powder for the Government.

An 8-hour provision in the Post Office appropriation bill for post-office clerks and letter carriers.

An 8-hour provision in the naval appropriation bill making the 8-hour workday apply to workmen employed under the current appropriations.

Fourth. A provision in the naval appropriation bill requiring all coal purchased for the use of the Navy to be mined on an 8-hour workday.

Of these 8-hour bills the present Secretary of Labor, Hon. William B. Wilson who is a former coal miner, who entered the coal mines at 9 years of age, an experience identical with my own, observes:

It has been said on the floor of this House that the labor measures we have passed would not give an additional sandwich to any wage-worker. This act alone will reduce the hours of labor of hundreds of thousands of workmen, directly or indirectly employed by or for the Government, giving greater opportunity for rest, recreation, and mental development to those who are affected by it. It will do more than that. While men working an 8-hour workday can naturally be more efficient per hour than when working 10 hours, it has never been contended that men can accomplish as much in 8 hours as they can in 10. The shortening of the workday, therefore, means the giving of employment to thousands of those who are now among the unemployed, giving them an

opportunity of earning a livelihood which they do not now have, and that means not only a sandwich, but a full meal.

Fifth. The Children's Bureau bill to promote the welfare of children and to devise means whereby the necessities of the parents can not be used to retard the development of the children, who are the citizens of to-morrow.

Sixth. The industrial commission bill to investigate the entire subject of industrial relations, with a view of ascertaining the best methods of dealing with industrial disputes so as to protect the rights of all persons directly or indirectly interested.

Seventh. The phosphorus-match bill to protect the health of workers in the match industry.

Eighth. The trades disputes act embracing the relation of labor organizations to the antitrust laws of the country; the regulation of the issuance of injunctions and the guaranty of the right of trial by jury for alleged contempts committed out of the presence of the court.

Mr. Chairman, it is no exaggeration to say that the above law is the greatest single piece of legislation ever passed at the instance of laboring people on the American Continent. At a single stroke it adjusts all the perversions of ex parte court procedure that have arisen by the confessed misuse of the injunction so frequently occurring, grants the constitutional right of trial before an open-minded jury, and corrects the juridical mistake as to the intent of Congress in passing the Sherman law. It is not too much to say, I repeat, that by this single stroke of the legislative hand more is being done in our country to rectify the judicial status of the great toiling masses than has ever been accomplished in our history before. Nor does this mean violent or radical treatment of the relations of labor and capital.

Thus section 7 of the Clayton bill, taken with its complementary sections, places the American workman where the British workman was placed by Parliament in 1906. Their experience shows that property will be as safe, the rights of employers will be as secure, with this measure enacted into a law, which I predict will become known as the Magna Charta of American workmen.

Everybody understands that section 7 would have been written into the Sherman Act in 1890 had there been any thought of the application since made of that great act. Everybody knows that Congress at that time had no thought of legislating with regard to the relations of employers and employees. I challenge contradiction for that statement. If Congress had ever intended to legislate upon these relations and saw fit to do what the States may well do and are doing, for it is their subject matter and not a Federal subject matter—prescribing penalties for individual wrongs when committed—I challenge gentlemen of this House to say that Congress would have ever said to the toiler: "If you overstep the line and commit a tort, you shall be subject to threefold damages." That was the natural sentence to have pronounced on the trust, an outlaw organization that sought to suck up all the commercial profit and power of the Republic. That is a sentence—the sentence of outlawry—that never can be pronounced, now or in the future, on a peaceful organization of workmen.

I know there is some misapprehension. Some honest people are inclined to think that this section of the Clayton bill may mean a species of class legislation. They commit the error of considering labor as a commodity, a natural error inspired by the circumstances under which the price of labor, unfortunately, is sometimes determined by the iron laws of the market; but there is this distinction between labor and a barrel of oil—a commodity: Labor is never in truth a commodity; labor can never under our institutions be property, either before the court or before the legislature. Under our Constitution, property in human beings has forever ceased. While a barrel of oil is not only a commodity in the market it is a commodity before the courts; it is a commodity before the legislature. The legal attribute of a commodity is property, but the legal attribute of the workmen is citizenship. A different principle of sociology and justice apply to these two subjects matter when they are before Congress or before the courts. The rules that are rationally applicable to the commodity can seldom be justly applied to the man.

Ninth. The Department of Labor bill, creating a department with a Secretary who shall be a member of the President's Cabinet, and who shall have the power of mediation in trade disputes and the right to appoint conciliators in such cases when, in his judgment, it is wise to do so, and while his good offices may be used for the purpose of bringing the contending parties together he shall have no power to enforce his own views upon either of them.

Mr. Chairman, the Department of Labor is a real living and dynamic fact. And why? Its Secretary is a real son of labor.

I insert his biography as taken from the Congressional Directory:

William Bauchop Wilson, of Blossburg, Pa., Secretary of Labor, was born at Blantyre, Scotland, April 2, 1862; came to this country with his parents in 1870 and settled at Arnot, Tioga County, Pa. In March, 1871, he began working in the coal mines; in November, 1873, became half member of the mine workers' union; has taken an active part in trade-union affairs from early manhood; was international secretary-treasurer of the United Mine Workers of America from 1900 to 1908, having been elected each year without opposition; is engaged in farming at Blossburg; is married and has nine children; was elected to the Sixtieth, Sixty-first, and Sixty-second Congresses from the fifteenth congressional district of Pennsylvania; chairman Committee on Labor, House of Representatives, Sixty-second Congress. Took the oath of office as Secretary of Labor March 5, 1913.

Surely in the case of the Department of Labor there was no "making the promise to the ear and breaking it to the heart." A distinguished Member of this House has said that if in argument you should grant the Secretary of Labor any of his premise defeat was certain to follow, so surely does his Scotch processes of logic plow their way through all obstructions when given a single admission. He is a credit to his race. He is a credit to the labor sentiment of the country, which has trusted and supported him, and a credit to the administration whose arduous responsibilities he so splendidly shares. Surely in William B. Wilson labor has a voice in the great councils of the Nation.

BILLS WHICH HAVE PASSED THE HOUSE.

First. The bureau of safety devices bill. This measure, the Mann-Bremner bill, after the death of Mr. Bremner ably supported by Mr. WALSH, of New Jersey, already favorably reported in the Senate, is designed to create in the Department of Labor a clearing house for devices preventive of industrial accidents. The ratio of accidents in the United States tends to run from two to four times as great as in other countries, and it is meant through this bureau to supply employers and employees with the best methods and devices in order to reduce as far as possible the frightful carnage in life and limb.

Second. The Hensley and Booher convict-labor bills. One of these is designed to prevent the importation of convict-made goods from foreign countries and the other of convict-made goods from one State to another in competition with the products of free and self-supporting American labor.

Third. The seamen's bill. This bill passed the Sixty-second Congress and was pocket vetoed by President Taft. It has since passed the Senate in the Sixty-third Congress and is now before the Committee on the Merchant Marine and Fisheries of the House, with most of its provisions agreed upon, and certain to become a law during the Sixty-third Congress. Its principal objects look to abolishing imprisonment as a penalty for desertion, and corporal punishment on board ship, Sunday work while in safe harbor reduced and regulated, establishes seaman's right to half wages upon arrival at any port, and 120 feet boat space for each seaman and apprentice; two years' service on lakes, bays, and sounds to entitle the sailor to rank of able seaman, and 12 months on the sea; regulating the number of lifeboats and saving equipment each vessel is to carry.

Fourth. A provision in the judicial revision bill allowing appeals to the Supreme Court from decisions of the State courts, nullifying State statutes on the ground of conflict with Federal law. A great many State labor laws have been invalidated by the State courts. This provision allows an appeal to the Supreme Court in such cases, and will doubtless save many State laws, as, for example, the semimonthly pay law of New York, recently sustained by the Supreme Court.

BILLS REPORTED FROM COMMITTEE.

First. The Deitrick bill regulating the use of the so-called Taylor system in Government shops.

Second. The Maher bill amending the law under which the wages of employees in the Government navy yards and arsenals are to be determined and giving the Secretary of Labor a voice in such adjustments.

Third. The Palmer child-labor bill.

Mr. Chairman, this bill calls for the most thorough discussion, but for my present purpose I can only briefly describe its provisions. Urging the precedent of the convict-labor-made goods bills which have already passed this House, it provides—

That it shall be unlawful for any producer, manufacturer, or dealer to ship or deliver for shipment in interstate commerce the products of any mine or quarry which have been produced in whole or in part by the labor of children under the age of 16 years or the products of any mill, cannery, workshop, or manufacturing establishment which have been produced in whole or in part by the labor of children under the age of 14 years, or by the labor of children between the age of 14 years and 16 years, who work more than eight hours in any one day or more than six days in any week or after the hour of 7 o'clock post-meridian or before the hour of 7 o'clock antemeridian.

I believe, sir, that the tender conscience of the people where childhood is involved and the national sense of the necessity of Federal action to protect those who can not protect them-

selves will justify us in passing this bill reported from the Committee on Labor.

I say it is something more than a coincidence that these measures have passed a Democratic Congress and were not even considered by the Cannon rule. What is the cause? What is the difference? The difference, sir, I submit is this: The party of Joseph G. Cannon represented only a part of the people. The party of Wilson and CLARK represents them all. One is the tory who thinks all law-made changes are dangerous and, as Wendell Phillips said, is afraid to brush down the cobwebs lest the ceiling may fall. The other is the liberal and progressive who knows that as social and economic conditions change, so must change the rules of the State which regulate the relations of human beings.

Mr. Chairman, it is not claimed for these measures that they will end the labor problem; that they will realize for labor all its rights or secure the employer from all occasional wrongs. We know that the rights of labor involve vastly more than its relations to the employer. Having secured fair wages and conditions of employment from his employer, the workman has then to meet that other problem common to all consumers, namely, how shall he be able to make his wages bring him an equitable share of the products of other men's labor? And it is here even more than with the employer that his task of rightful adjustment really lies.

A brilliant orator a generation ago, taking his inspiration from the magnificent achievements of the inventors, declared that the inventor would soon emancipate the sons of toil from their physical drudgery and painful forms of labor by the substitution of machine for pick and spade. Well, sir, what do we find? Truly, the inventor is doing his part; but how about the correlative processes of exchange and distribution? Well, that problem remains unchanged, and has now become so aggravated as to be generally conceded as the cause of our high cost of living. How shall he make his wages bring him something like an equivalent of what he gave for such wages? I think all students now agree that the labor problem has become chiefly the consumers' problem. It is something to have stated the problem clearly. I shall do no more to-day. But, sir, we do not leave this problem, momentous as it is, entirely without hope. There ought to be some way by which the inordinate tax imposed by the processes of distribution—the tax that doubles, yes, trebles, the price of the product between producer and consumer—may be greatly lightened. In the last two generations the producer and transporter have done their part in cheapening the cost of the article. Productive and transportation costs have been pulled down and down in an almost never-ending scale of reduction. Meanwhile distribution agencies, unorganized and ever multiplying, show a piling up of expenditures, ever increasing the distribution tax, from which all must suffer, for we are all consumers. Can not this problem be adjusted? Must we confess our helplessness in its presence—this ever-widening maw that is swallowing nearly all of the fruits of mechanical advancement, and threatens to swallow more? Perhaps some one of the nations now at war and soon to be under extreme stress to feed its people will discover and apply the remedy. Necessity is the mother of invention—perhaps. If so, even this monstrous crime against humanity and organized repudiation of Christianity will prove some good.

In this connection we can point to the industrial commission which has power to consider this subject and report its recommendations; and we may also point to the development of the parcel post by this administration as a promising means, when our people learn to use it, to purchase direct from the trucker and farmer as it becomes further perfected for that purpose.

Mr. Chairman, such is the record of the Democratic Party in labor legislation in the Sixty-second and Sixty-third Congresses. Valuable as it is in itself, it is yet even more significant as an earnest of the fixed determination of our party to meet the problems of a growing and changing state of society and to adjust them—to adjust them calmly and justly, but to adjust them. It can not be said that our work has been partial and one-sided and that we have confined our work to a single class. We have met in the same spirit all the problems of our day. The direct election of Senators, the parcel or postal express, the prevention of corrupt practices at primaries and elections, the national banking law, the antitrust laws, the conservation bills, the income tax, and many other useful measures in the interest of society generally. Compare this record with the almost blank pages under Cannonism for 20 years—a record of unblushing toryism and inertia.

Mr. Chairman, with the rescue of this House under your leadership and a responsible Senate through direct election of its Members, with a President the very first premier of his age, with a people loosened from the bonds of party prejudice and

inertia which has bound them, can we not look confidently into the future, assured that its patriotism and statesmanship will justly solve the other great problems that are before us?

Mr. MADDEN. Mr. Chairman, we are considering a bill to lease the coal lands of Alaska and regulate the prices at which men are to operate them. We are proposing to regulate the price at which the coal shall be sold, and we are going to add another handicap by authorizing the President of the United States to operate coal mines, to furnish coal for the operation of the railroad, and to prevent monopoly, on the theory that the Government of the United States ought to protect itself against any discriminatory action by men engaged legitimately in the coal business. I undertake to say that if the Government of the United States operates any coal mines that coal will cost \$3 for every ton mined by the Government where it would cost \$1 to buy it. There can be no economy in this and no sense in it. It is said that we need the coal to be mined by the Government of the United States in order that we may be able to furnish coal for the Navy. All the ships that are being built are being built to burn oil, and whether they are or not, coal in this section of the world is not fit for the Navy. That has been proved by the tests made under the direction of the Secretary of the Navy. If the Navy uses coal at all, it must have coal of a standard equal to that known as Pocahontas coal. All the tests that have been made thus far of the Alaskan coal prove that it actually has only 43 per cent of the efficiency of Pocahontas coal, and that it is not at all fit for naval use.

Oh, but they say, we have authorized the expenditure of \$35,000,000 to build a railroad, and if we operate it we ought to do everything else incidental to its operation, even to the mining of coal, even though it costs \$3 to mine it when it can be bought for \$1.

Oh, the amount of wisdom displayed in this legislative proposition! The gentleman from California [Mr. RAKER] says that it is the unanimous opinion of the committee that reported the bill that the Government ought to have the right to mine coal and sell it in order that we may be able to prevent monopoly by private interests that are operating coal mines under regulations made by the Government. If we have any monopoly under such circumstances, the leases that are to be made by the Government to the men who are to operate the mines in Alaska will not be rigidly drawn.

The gentleman says the wisdom of the committee dictated the unanimous report. I would not give very much for the wisdom of the committee on this question, based on its experience in great business problems. I would rather have the judgment of some man who knows something about what a business problem means than the judgment of a committee who never saw a business problem except in a law book. They may be good lawyers and good politicians, and they may be able to manipulate a primary, or to successfully control an election, but when you run a business you have got not only to produce the goods, but you have got to sell them and collect your money for them before you can pay your bills. [Applause.]

It is easy enough to operate coal mines out of the Public Treasury, where you can levy an additional tax on the people of the United States to make up the losses. Oh, it is a beautiful theory. Everything is going upon the theory that the Government can do business better than anybody else.

Mr. RAKER. Mr. Chairman, will the gentleman yield for a question right there?

Mr. MADDEN. No—and that all the business men of the country are no longer considered respectable, except for the purpose of paying taxes, to carry out the theory of these wild-eyed dreamers. The time has come when this sort of thing will not be tolerated any longer by the people of the United States. We are coming to the stage of supper time on these radical questions. Breakfast time has been passed, and there will be a reckoning, and it will not be very long before it comes, and the men who are doing everything they can to embarrass business men who have devoted all of their lives and all of their efforts and all of their energy for this upbuilding and enterprise and prosperity of the Nation will be called to account, and they will have to cease from this method of levying tribute on the honest business men of the Nation. [Applause on the Republican side.] Public ownership, public operation of railroads, public operation of coal mines—of everything—competition with every man who has his money invested, with utterly no incentive for honest enterprise and activity on the part of the people. Why, you will be having the Government sneeze for the people after a while and blowing their noses for the people. You can not collect the tax from the Government, of course, and you have got to collect the taxes from the men who make the wealth, and the men who pay the taxes are going to insist on having something to say about the

conduct of the affairs of this Nation, and when election day comes in November the storm of opposition created in the minds of the American people by these wild-eyed dreamers, of these men who deal only in imagination and not in facts, will wipe them off their feet, out of office, and back to their holes, where they belong, where they will no longer have anything more to say about the conduct of this Government. [Applause on the Republican side.]

Mr. FERRIS. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN] has many good ideas about business. He has many good ideas about many things; but I doubt, after all, if all of the Members of this House would be willing to follow his judgment upon the proposition of conservation in the West. The gentleman is a good business man, and he can lay down rules which many of us would follow upon that proposition, but the gentleman surely does not advocate the granting of title in fee to all of those Cunningham coal claims and the fraudulent claims in Alaska?

Mr. MADDEN. Oh, I do not advocate that.

Mr. FERRIS. I am not going to misquote the gentleman. I have too much affection for him to do that, even momentarily; but let me go on. There is but one of three things to do. We must leave Alaska tied up with only two patented coal claims in the whole Territory, or we must lift the ban and let all of those fraudulent claims go through, or, third, we must pass an intelligent leasing bill, preserving the royalty from the leases for the payment of the Alaska railroad bill and in general preserve the rights of the public. Personally, I favor the latter.

Mr. MADDEN. But I am for that.

Mr. FERRIS. Incorporating painstaking and careful regulation in the bill, so that monopoly and oppression will not be visited upon these people.

Mr. MADDEN. I am for that.

Mr. FERRIS. I know the gentleman is for that. The gentleman was chastising the committee momentarily, and he does not mean all that he has said. We took it in good part.

Mr. Chairman, the Committee on the Public Lands does not know too much about coal mining. That is the truth; but this bill did not come wholly from the Committee on the Public Lands. We had at our command to aid us Dr. George Otis Smith, Director of the Geological Survey, and Dr. Holmes, the Chief of the Bureau of Mines, and we had at our elbow Secretary Lane and his corps of legal representatives.

When this bill was drafted we had before us some of the best talent of the Senate, men who knew about coal mining, including men who had mined coal in Alaska; but we did not stop there. Secretary Lane invited the leading coal operators of the United States to come and counsel with him in the drafting of a measure that would, first, do justice to the people, and, second, do justice to Alaska, and, third, develop Alaska and at the same time not let fraudulent grafting claims go through to patent.

One word as to the personnel of the committee. It is true we have upon that committee men of different views. The making of a bill and bringing it into this House is not an easy task. It is again true we have men who hold extreme views in each direction. We have men with first-hand views of what the West is. We have the Delegate from Alaska on the committee, who gave us the benefit of his views. We have men on the committee who are good lawyers, known to be good lawyers in this House, that represent the eastern view, and between the men of the East on the committee and the men of the Middle West on the committee, like the gentleman from Wisconsin [Mr. LENROTH], the gentleman from Illinois [Mr. GRAHAM], and men from the far West, like the gentlemen from California, the gentleman from Colorado, the gentlemen from Arizona, Montana, and so forth, who represent and know what the rest of us do not know; from this combination it is my belief we have brought a bill in which meets the approval pretty generally of the people who know most about the coal business. This bill should not be mutilated and torn to pieces by amendments that have had no consideration. I hold in my hands letters no older than this morning from the Bureau of Mines and Dr. Smith and from the Secretary's office, saying this bill is workable and will accomplish what it seeks to do, and will at the same time protect the Government.

Mr. MADDEN. What does the gentleman think about the advisability of the Government operating coal mines? That is what I am objecting to.

Mr. FERRIS. I will say frankly to the gentleman that I am not a Government ownership man, but conditions in Alaska are different from what they are anywhere in the United States. The gentleman from Illinois [Mr. MADDEN] and myself opposed the Alaskan railroad bill. I thought I was right and the gentleman thought he was right, but we were both rolled out flat as a pancake on our views. This bill does for the coal mines what

that bill is intended to do for the railroads. It opens up Alaska and that surely is the wish of all of us. I hope the amendment will not be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is on the amendment of the gentleman from Wyoming [Mr. MONDELL] to strike out the paragraph.

The Chair proceeded to put the question.

Mr. MANN. Mr. Chairman, that amendment never was reported.

The CHAIRMAN. Oh, yes; the gentleman's amendment was reported before the amendment of the gentleman from Illinois.

Mr. MANN. I beg the Chair's pardon, but the gentleman from Wyoming stated that he desired to offer an amendment to strike out the section, but that if anyone desired to perfect the section he would yield for that purpose.

The CHAIRMAN. The gentleman made that statement after the amendment had been reported.

Mr. FERRIS. Mr. Chairman, it was my understanding that this would not preclude the amendment of the gentleman from Wyoming. The gentleman from Wyoming [Mr. MONDELL] made an inquiry and asked if this would preclude him. I do not know that the Chair heard him, but I thought it would not, and so indicated to the gentleman. I ask unanimous consent—

Mr. MANN. As a matter of fact, that amendment was not reported.

The CHAIRMAN. The amendment of the gentleman from Wyoming was offered and reported. Thereafter the gentleman from Wyoming made the statement that some one had an amendment to perfect the text.

Mr. MANN. The motion was not to close debate, but simply close it upon my amendment.

Mr. MONDELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MONDELL. I offered my amendment, and then, with a view of expediting the business of the House, suggested that if any gentleman desired to offer an amendment before my amendment was considered I would yield. I certainly had no intention of yielding my rights on my amendment in doing that, and I am sure no one so understood it.

The CHAIRMAN. The Chair can not tell what the intention was, but the gentleman's amendment was reported at the desk, and thereafter another amendment was offered. However, the Chair understands the gentleman from Oklahoma in his request to close debate simply made it to close it only on the amendment offered by the gentleman from Illinois [Mr. MANN].

Mr. FERRIS. That is true.

The CHAIRMAN. Then the question is upon the amendment offered by the gentleman from Wyoming.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes on this section.

Mr. FERRIS. Mr. Chairman, reserving the right to object, is there anybody else who wants time on this proposition? I will ask that at the expiration of 17 minutes—10 minutes to be controlled by the gentleman from Wyoming, 5 minutes by the gentleman from Washington [Mr. HUMPHREY], and 2 by some member of the committee—all debate on this section and all amendments thereto be closed.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the expiration of 17 minutes—10 of which is to be in the control of the gentleman from Wyoming [Mr. MONDELL], 5 minutes to be under the control of the gentleman from Washington [Mr. HUMPHREY], and 2 minutes by some member of the Committee on the Public Lands on the majority—all debate upon the section and all amendments thereto be closed. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, the object and purpose of this bill is, or should be, to open the coal fields in Alaska in such a way as to make possible their large development, the cheap mining of coal, and its sale to the people at the lowest possible figure. Those are, or should be, our aims and ends in connection with the legislation. Any provision in the bill tending to make ineffective those ends and aims should be stricken from the bill. The section I propose to strike out from the bill provides for the reservation of considerable areas in the important coal fields, these areas to be retained permanently by the Government and to be worked by the Government if the President in his wisdom deems it proper to do so. These fields, especially the two southern fields, are comparatively small in area. They can only be cheaply and advantageously opened at this time at a few points. A well-selected location at the front of the vein will give opportunity of cheap mining in a large way. There are a number of such points in both fields. If coal is to be

cheap in Alaska, to be mined in large quantities, it should be mined at the points where it can be mined the most advantageously and the most cheaply. A large portion, the greater portion of these fields, would be reserved without any provision in this bill, because there will not be at the most over two or three, possibly not over one or two, leases in each of these great fields. The bulk of the field, the great areas lying back of the frontal exposures, will be reserved, and reserved indefinitely. In fact, we in this bill reserve all of those fields. They do not pass from our control. Some portions of them are to be leased.

If we call upon the Secretary to specifically reserve or definitely reserve from use large areas in each of those two fields, it becomes the duty of the Secretary, as I see it, to reserve the portions of the field that are the more advantageously located. If he does not do that there will be no object in reserving it, there would be no object in his reserving coal lands, no matter how valuable, how thick, or how numerous the veins are at some distance from the outcropping, because they will be reserved by their position. He will be compelled and we are calling upon him, to reserve those areas that ought to be opened and ought to be first mined in the interest of the people of Alaska and the country. And yet we call upon him to reserve such areas. Why? Well, some one says we might need coal for the Army and the Navy. No man who has had anything to do with the coal business—and I had something to do with it in my youth—but knows that the Government can never mine coal as cheaply as private enterprise can mine it. And, more than that, neither the Government nor anyone else can ordinarily mine coal for one specific purpose advantageously or cheaply, because the coal as it comes from the mine varies in character and in size, and you should have a market of all sorts and kinds for the product of the mine. To mine coal for naval purposes alone would be extravagant and wasteful. The cost would be prohibitive. Furthermore, there is no place on earth where coal is mined and laid down on the cars as cheaply as it is in the United States, and there is no reason why it should not be laid down as cheaply, considering its cost, in Alaska under this bill. Otherwise the bill is not the perfect thing which its framers claim it is. If we have any question about the uses and the needs of our Army and our Navy, all that is necessary to do is to put in the bill the language that was in the bill three years ago—a provision that the President has the right to take the coal mined from these lands wherever he finds it for the use of the Army and Navy at any time and at a price to be fixed by him.

That settles the Army and Navy end of it, and it is not necessary to make reservations of the best part of the vein. It is certainly unwise to do it if what we seek is mining on a large scale and mining under conditions which will make it possible to sell the coal at the lowest possible figure. We will have plenty of these fields reserved. There need be no question about that after all the leases that anyone wants to make have been made. And those coal areas back from the front, after the front coal has been mined out, will be as accessible and as cheaply mined as the front coal is to-day, because after the workings extend back and roads are built and tunnels and drifts are in, the opportunity comes of advantageously and cheaply mining coal that lies farther from the front.

I regret that the amendment offered by the gentleman from Illinois [Mr. MANN] was not adopted. The gentleman from California said that the Government in the construction of its railroad might need some coal and might, perforce, seek to mine it. Well, if the Government proposes to do any such foolish thing as that in the expenditure of the \$35,000,000 appropriated for the Alaskan Railway, we better inquire into it right now. I can not think of anything more ridiculously extravagant than for some one to proceed to open a coal mine somewhere for the purpose of supplying local needs along a line of construction, except as one might open a little pit somewhere for the use of a construction camp, and that would be done and could be done without any legislation whatever. But the idea of opening a Government coal mine on the theory that we could mine coal cheaply certainly can not occur to anyone who has had any practical experience in the coal business or in any other kind of business, for that matter. If this section is stricken from the bill, the Secretary will not be required to withdraw these best and most available areas. If it remains in the bill it will be his duty to do that and say to those who seek a lease, "We will keep all of the best lands; we will keep those that can be cheaply mined, because they are accessible; and you can go around and back of our reservations, or through them." What trouble and expense that would entail. No one would at any time be benefited. In my opinion the bill would be very much better in every way with this section left out of it.

Mr. HUMPHREY of Washington. Mr. Chairman, the gentleman from Oklahoma, the distinguished chairman of the committee, said a moment ago that it was either this bill, or leaving Alaska in the condition in which it is now, or passing the fraudulent claims, as I understood. Now, my recollection is that there are about 1,120 coal claims in Alaska, and that there has been a contest filed against each of them. The honest man and the thief have been treated exactly alike in that respect, and so far, with two exceptions, the honest man and the thief have been treated exactly the same by the Interior Department.

Now, what I would like to know is why the department does not decide these claims? If these claimants have no right to those claims, if they are fraudulent, then why does not the department so decide? I submitted a letter some days ago to the department, and asked them how many of these cases have been decided since this administration went into power. Of course, we know that under the old administration we could not get a decision on any claim. Secretary Fisher very frankly said that he would not decide a case, even when he knew the claimant was entitled to it. He so stated to me personally. But I can not understand any reason why the Government shall not decide these claims. If they are fraudulent, then decide them against the claimant. If, on the other hand, the claimant is entitled to them, then I can see only one reason why they do not decide in the claimant's favor, and that is cowardice, fearing some one will charge they are not in favor of conservation. I hope I may be able in this way to reach to the Interior Department, until they will have the courage to say that those claims of Alaska are fraudulent or that they are honest, and not continue to do as they have in the past—to do nothing but dodge.

Now, a word in regard to my distinguished friend from Illinois [Mr. MADDEN], one of the most distinguished business men in this House, and one whose opinion I value highly on anything in regard to business. The distinguished gentleman from Illinois is not a naval expert. That is, I presume he is not. He claims we can get no coal for the Navy from Alaska. In the first place, it is not fair upon the tests that have been submitted to say that there is no coal in Alaska fit for naval use. It may be true that all that has been tested so far has proven to be unfit for that purpose, but we have made but very little examination of the coal in Alaska. The probability is that we can find coal in Alaska that is fit for naval use. But my distinguished friend from Illinois overlooks this one point: That in case of war we would be compelled to use such coal as we have on the Pacific coast. Suppose we had war over there to-day, where would we get coal? We would either have to use the Pacific coast coal or run our battleships in under the guns of our forts. Is it not, then, the part of wisdom to learn how to use coal in time of peace that we must use in time of war?

Another thing that my distinguished friends forget: The Navy is using coal on the Pacific coast all the while. What is the use of having the highest grade of Pocahontas coal to run the ships up and down the Pacific coast in time of peace? They take what they call "exercises" around Puget Sound. Why should they not use cheap coal in taking those exercises? Their objection to the cheap coal is principally that the enemy can see the smoke; but the enemy is not going to see the smoke in time of peace as those naval vessels go up and down our coast. We also use a great deal of coal at the navy yards not used in navy vessels. It is used for power purposes, and one of the officers of the Bremerton Navy Yard said he objected to some of the Pacific coast coal being used for power purposes because it dirtied his shirt. I think I referred to that once before on the floor of this House. There is a great deal of coal that can be used by the Navy, even if it is as poor as they contend it is. But I once more wanted to submit this question to this House and to the country, namely, Can we excuse ourselves by using coal in time of peace upon the Pacific coast of a character that we can not use in time of war? Is it not wisdom to learn how to use this coal in time of peace? It requires different handling and different grades from our eastern coal.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. FERRIS. Mr. Chairman, the gentleman from Washington moves to strike out, from beginning to end, section 2.

Mr. HUMPHREY of Washington. Oh, no.

Mr. FERRIS. I mean the gentleman from Wyoming [Mr. MONDELL] makes that motion. Now, what is section 2?

Section 2 proposes to reserve for Navy and Government use 5,120 acres of coal lands in the Bering field and 7,600 acres or so in the Matanuska field. Does anyone want to absolutely divest the Army and the Navy of all the coal the Government has there? Does anyone see any necessity for voting out the only two reserves which the Geological Survey thinks is necessary,

which the Navy Department thinks is necessary, which the Bureau of Mines thinks is necessary? I do not think the gentleman from Wyoming is really serious in proposing to strike out the two reserves.

Mr. MONDELL. I will say to the gentleman that I am entirely serious.

Mr. FERRIS. Then I can only say that there can not be very many people who will agree with the gentleman on that proposition.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield to me?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Texas?

Mr. FERRIS. Yes.

Mr. STEPHENS of Texas. Is not this also the section that prevents monopoly in coal in Alaska?

Mr. FERRIS. Yes, I think so; but it more particularly authorizes two reserves to be made in the two leading fields first, and if necessary in other fields later. Surely the House does not want to eliminate that very essential and important part of the bill. Surely the House does not desire to eliminate a provision it but a moment ago agreed to retain in the bill. This amendment can not be adopted and preserve the bill. It ought to be defeated.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Wyoming to strike out section 2.

The question was taken, and the motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 3. That the unreserved coal lands and coal deposits shall be divided by the Secretary of the Interior into leasing blocks or tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such blocks, but in no case exceeding 2,560 acres in any one leasing block or tract; and thereafter the Secretary of the Interior shall from time to time, upon the request of any qualified applicant or on his own motion, offer such lands or deposits of coal for leasing, and, upon a royalty fixed by him in advance, shall award leases thereof through advertisement, by competitive bidding, or, in case of lignite or low-grade coals, such other methods as he may by general regulations adopt, to any person above the age of 21 years who is a citizen of the United States or has declared his intention to become such, or to any association of such persons, or to any corporation or municipality organized under the laws of the United States or of any State or Territory thereof: *Provided*, That no railroad or other common carrier shall be permitted to take or acquire through lease or permit under this act any coal or coal lands in excess of such area or quantity as may be required and used solely for its own use, and such limitation of use shall be expressed in all leases or permits issued to railroads or common carriers hereunder: *Provided further*, That each applicant for lease under this act shall execute and file with the application or bid a good and sufficient bond, in such reasonable sum as may be fixed in advance by the Secretary of the Interior, to insure good faith in the fulfillment of the terms and conditions of the bid, the lease, and of this act.

The possession of any lessee of the land or coal deposits leased under this act, for all purposes involving adverse claims to the leased property, shall be deemed the possession of the United States, and for such purposes the lessee shall occupy the same relation to the property leased as if operated directly by the United States.

Mr. THOMSON of Illinois. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amend, page 4, line 3, by changing the colon after the word "hereunder" to a period and adding after the period the following: "That such a railroad or common carrier may be permitted to take, under the foregoing provisions, not to exceed one lease upon and for each 200 miles of its line in actual operation. The term 'railroad' or 'common carrier' as used in this act shall include any company or corporation owning or operating a railroad, whether under a contract, agreement, or lease, and any company or corporation subsidiary or auxiliary thereto, whether directly or indirectly connected with such railroad or common carrier, and."

Mr. THOMSON of Illinois. Mr. Chairman, I would like to call the attention of the chairman of the committee, Mr. FERRIS, to the fact that the language I propose to insert here is the language that is contained in the general leasing bill.

Mr. FERRIS. Yes. It is also true that we agreed to accept it and put it in this bill.

Mr. THOMSON of Illinois. I understand so.

Mr. MONDELL. Mr. Chairman, I would like to ask the gentleman from Illinois [Mr. THOMSON] how he understands his amendment affects the proviso that it follows. The proviso is:

That no railroad or other common carrier shall be permitted to take or acquire through lease or permit under this act any coal or coal lands in excess of such area or quantity as may be required and used solely for its own use, and such limitation of use shall be expressed in all leases or permits issued to railroads or common carriers hereunder.

It strikes me that the amendment that the gentleman offers, inasmuch as it allows the railroad company to secure at least a lease for every 200 miles of its road, modifies that proviso

so that the railroad securing such lease could mine the coal for any purpose.

Mr. THOMSON of Illinois. Not at all. The only effect of my amendment is that it permits the road to take out coal at not to exceed one point in every 200 miles of its length. In no case can it take out, if my amendment is adopted, more coal than it will use for its own purposes. But instead of taking it all out at one point and shipping it all along the line, it permits them to take it out at one spot in each 200 miles.

Mr. BRYAN. Mr. Chairman, will the gentleman permit an inquiry there?

Mr. THOMSON of Illinois. Yes.

Mr. BRYAN. How long is the Guggenheim railroad, and how many extra leases will this give them?

Mr. THOMSON of Illinois. I do not know how long the Guggenheim railroad is or how long any other railroad up in Alaska is. Any railroad that is going to have the privileges given in this section, however they are constituted, should have the privilege contained in my amendment. I do not care whether A owns it or Z owns it.

Mr. BRYAN. The only effect of this would be to give the Guggenheims two leases instead of one.

Mr. THOMSON of Illinois. I do not know anything about that, and I do not care, either. This provision is in the general leasing bill. It is an equitable provision. It does not in any way affect the provision that the railroad shall take out coal only for its own use, but it provides that it can take out coal at one spot in each 200 miles of its line.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Illinois. Yes.

Mr. WINGO. As I understand the gentleman's proposition, it is that they shall not have two leases nearer than 200 miles from each other?

Mr. THOMSON of Illinois. Yes.

Mr. WINGO. And they must get out of the one particular lease no more than is necessary for their own purposes?

Mr. THOMSON of Illinois. Not necessarily. For example, if the road is more than 200 and less than 400 miles long, under this proposition they would have the right to take out coal in two places. They could use the coal taken out at either of these places anywhere along the line. This amendment would give them two openings and merely facilitate the taking out of the coal and its use by the railroad in that it would allow them to distribute these places along their line instead of having but one place.

Mr. WINGO. Let us suppose there would be only one coal field in 500 miles. In that case the road would be limited to taking out from their lease in that field just enough for their use for 200 miles?

Mr. THOMSON of Illinois. Oh, no; they would be allowed under the bill to take out of that one field enough to operate the whole line.

Mr. WINGO. But in no event would they be permitted to take out more than enough for their own use?

Mr. THOMSON of Illinois. No.

Mr. JOHNSON of Washington. Is it not a fact that the only coal field that can be opened in Alaska for a long time is the Katella coal field?

Mr. THOMSON of Illinois. I do not know, but assuming that to be true, we ought not to limit the provisions of this bill to the only field that can be opened for some time to come. We ought to make provision for such fields as will be opened up ultimately.

Mr. JOHNSON of Washington. The Katella field has nothing in it which can be leased except the Cunningham claims, which were declared fraudulent, and the only concern that will be likely to lease them will be the Guggenheims, who have the only operating railroad up there. Is that not worth while to be called to the attention of the House?

Mr. THOMSON of Illinois. Possibly so. I do not think it affects the question. As I said in answer to the gentleman from Washington [Mr. BRYAN], if the railroads of Alaska, including the one that is to be built by the Government, are to have the privilege and benefit of the propositions that are contained in this section as it is now, they should have this additional privilege which was inserted in the general leasing bill.

Mr. RAKER. While the committee at first restricted the railroads to one lease, is it not a fact that the committee then reconsidered that proposition, after acting upon the general leasing bill, to the end that the railroads might have one lease for every 200 miles in operation, so that all possible expenses in dealing in coal for their own use should be avoided?

Mr. THOMSON of Illinois. Yes; with the understanding that that should not affect the proposition that, no matter how long a road might be or how many openings they might have

because of their length, they should undertake no more coal operations than for their own use.

Mr. RAKER. And only supply it for their own use entirely?

Mr. THOMSON of Illinois. That is it exactly.

Mr. MONDELL. Mr. Chairman, it is very difficult, without some time to consider the matter, to determine whether the amendment offered by the gentleman from Illinois [Mr. THOMSON] is a limitation of a right or an extension of a right.

Mr. THOMSON of Illinois. It is neither, if the gentleman will allow me.

Mr. MONDELL. Then what is it?

Mr. THOMSON of Illinois. It is a distribution of a right.

Mr. MONDELL. I will add, then, that I do not think anyone can tell from the reading of the amendment what it does, whether it distributes, limits, or enlarges. My own opinion with regard to it is that it does not logically follow the provisions of the bill which precede it. Now, the general leasing act contains a provision of that sort, but the general leasing act, as I recall it—and I ask the gentleman from Illinois if I am correct—does not contain this limitation as to use by the railroad.

Mr. THOMSON of Illinois. I beg the gentleman's pardon. It does contain it to the best of my recollection, and I put this language in, the same as it is in the leasing bill.

Mr. MONDELL. My recollection of it is that it does not. Possibly it does.

Mr. THOMSON of Illinois. I am sure it does.

Mr. MONDELL. One of two things ought to be done about the lease of coal lands by the railroads—either they should be allowed to mine coal or they should not. My own personal idea is that it is not important that they be allowed to mine any coal at all. I believe railroads ought to attend to the railroad business and that coal miners ought to mine coal.

Mr. BRYAN. If the gentleman will permit, I want to call attention to one of the provisions of the proposed amendment:

That such railroad or common carrier may be permitted to take, under the foregoing provision, not to exceed one lease upon and for each 200 miles of line in actual operation.

This says a railroad may have not to exceed one lease for every 200 miles. Would not that shut out a railroad that has 100 miles from having a lease?

Mr. THOMSON of Illinois. Certainly not. Everybody knows that under this provision a railroad 100 miles long can have one lease.

Mr. BRYAN. If everybody knows that, why not say it? The bill requires actual operation of 200 miles; and if a railroad has 190 miles in operation it can not have any lease.

Mr. RAKER. Under the provisions of the bill, if it has only 10 miles in operation it would be entitled to one lease, would it not?

Mr. MONDELL. Mr. Chairman, I have no objection to the gentleman talking, but the time is mine. I will yield to the gentleman.

Mr. RAKER. I thought I was answering the gentleman from Washington, who I understood had the floor; but I will finish in a moment. The provision does not intend that the railroad may have the entire quantity of 2,640 acres in each lease. If it is along the road of, say, 1,000 miles, it would be the duty of the Secretary to limit it to possibly 100 acres for each 200 miles, and he could do it in his discretion; so that the contention that the railroad would get a large quantity of coal land is not correct. Under this bill it is intended that it shall get only enough coal land along its line of road so that it may run its line cheaply, thereby giving cheaper rates and cheaper fares and accommodating the public.

Mr. MONDELL. I think what the gentleman from California [Mr. RAKER] has said, and what the gentleman from Washington [Mr. BRYAN] said a moment ago, illustrates the fact that I was endeavoring to point out, that no one can tell just what the amendment offered by the gentleman from Illinois [Mr. THOMSON] would do to this bill, or just what the effect of it would be, whether it is a limitation, an extension, or, as he says, a distribution. In any event, I doubt if it is logical at this place in the bill, following the provision it does follow. I said a moment ago I doubted whether the provision now in the bill would be of any value to a railway company. I doubt if a railroad company could afford to mine coal exclusively for its own use. It would have to have a different kind of a coal mine from any I ever saw to mine coal economically and use it all for its own purposes. I never saw a coal mine that did not take out different grades of coal that had to be used for a variety of purposes. Every coal mine must have a considerable output to make it pay, and if the railroad business was slack it would have no market for its coal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I ask for five minutes more. The gentlemen from California and Washington took up a good portion of my time.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of five minutes the debate on this amendment close.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the expiration of five minutes debate close on this amendment. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, as I said a moment ago, I doubt the propriety of leasing coal land to railroads. My opinion is that it would be as well if the roads were not allowed to mine coal at all; if they were compelled to buy their coal as other people do. In a good many parts of the country we have seen many evils grow up out of the ownership by railroads of coal lands and the manipulation of the coal business. The committee attempted to somewhat remedy that situation by providing that the company could only mine coal for its own use. My thought is that under such a restriction they will not mine at all. If they can not mine for general use and general purposes and sell their excess when they have an excess, sell their slack, sell the better part of the lump coal, that which is peculiarly adapted for private use—for domestic use—if they can not do that, it will not pay them to operate coal mines. Then along comes this amendment offered by the gentleman from Illinois that further complicates the situation. What its effect will be I think no one can tell. I do not think we ought to adopt an amendment on the spur of the moment, as the gentleman from Oklahoma frequently says, without consideration, and the effect of which we do not fully understand.

Mr. FERRIS. Mr. Chairman, the amendment offered by the gentleman from Illinois [Mr. THOMSON] is not and has not been without consideration. Practically the same provision was incorporated in the general leasing bill with the approval of all the departments that looked into the question. It was the opinion of the committee that the amendment which the gentleman has just offered should go into the bill. It does seem to me reasonable to allow a railroad to open a mine every 200 miles and take out the coal for its own use. I am not in favor of transportation companies owning coal mines, mining coal, and entering into competition with other producers, but in this new and sparsely settled Territory, where we have authorized the building of a Government railroad and have had to release the private railroads from taxes altogether, surely it is not too much to give them an opportunity to get coal every 200 miles of their road, strictly for their own use. That is all this amendment does, and I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. THOMSON].

The question was taken, and the amendment was agreed to.

Mr. DAVENPORT. Mr. Chairman, I offer the following amendment to go in on page 3.

The Clerk read as follows:

Amend the bill, on page 3, by striking out, in lines 16 and 17, the following: "or, in case of lignite or low-grade coals, such other methods as he may by general regulations adopt."

Mr. DAVENPORT. Mr. Chairman, I can see no reason why there should be any distinction in the method of leasing the coal land according to the grade of the coal. If I remember correctly, the most of the coal, as shown by the report, will be found to be lignite or low-grade coal. All of this country would then be leased on the basis of low-grade or lignite coal. Even though it should be true that some of the coal is a high-grade coal, there is no reason why every man who desires to take a lease in that country of coal land should not have an opportunity for competitive bidding for the lease.

I know how these things go, and I know how the leasing proposition operates where there are valuable properties to lease. Some man gets a tip that this particular place will be classified as low grade, and he gets a lease of good coal land. I do not believe that they should be leased according to the classification. I move to strike out the part that I think should not remain in the bill. I do not believe it will be fair for the men who might want to bid for the land. I think all the leases should stand upon the same footing, and if a man applies for a lease it ought to be advertised and put up for competitive bidding, in order that it may bring to the Government the largest royalties possible.

Mr. RAKER. Mr. Chairman, this matter of lignite coal was considered by the committee, and it was believed that better results would be had by giving the Secretary of the Interior authority so that it could be disposed of without a lot of complications of competitive bids.

Mr. DAVENPORT. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. DAVENPORT. What is the theory upon which the leasing should be on a different basis? That is what I am trying to get at.

Mr. RAKER. It was shown from the testimony that this lignite coal has no shipping value. It is a low-grade coal. The Secretary ought to be able to dispose of it there, where it can be consumed in the local territory.

Mr. DAVENPORT. Was there any testimony showing that the low-grade coal lands could not be leased as rapidly through bids?

Mr. RAKER. I think that was shown to the committee. The committee thought it would open up Alaska quicker and more rapidly to let the low-grade coal be disposed of in this way.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. BORLAND. Where is the dividing line between coal and low grade or lignite?

Mr. RAKER. Lignite is coal.

Mr. BORLAND. Has there been a classification made of this coal?

Mr. RAKER. Yes.

Mr. BORLAND. By the Geological Survey?

Mr. RAKER. Yes.

Mr. BORLAND. And some of it already set aside as lignite?

Mr. RAKER. Yes. It is all designated as lignite.

Mr. FERRIS. The Nenana field, which is 40 or 50 miles from the town of the Delegate from Alaska, is a 9,000,000-ton field, and it is all lignite. It will never pay for shipping, but it is good local coal, and there is other coal away back in the interior about which they would not want to go through the long-drawn-out matter of advertising.

Mr. BORLAND. Of course, I can realize that there might be some coal there that could be used locally, better than in any other way, and if a man can get it on proper regulations, he ought to have it.

Mr. FERRIS. That is it.

Mr. BORLAND. But the exact situation is just like that mentioned by the gentleman from Oklahoma [Mr. DAVENPORT]. It is liable to happen that some land will be stated to be low grade, and then some fellow will come along and get it and it will afterwards prove to be high-grade coal.

Mr. DAVENPORT. Why does the committee reach the conclusion that it would not yield to the Government as great a rate of royalty by competitive bidding?

Mr. RAKER. It is not a question of royalty to the Government. It is a low-grade coal and people ought to get it at less expense, so that people can have it for their homes and to build up the country; and all of the burdensome conditions in respect to bonds ought to be eliminated, so that the Secretary would protect the Government and get a reasonable revenue from it and at the same time open up this local coal for the people in Alaska.

Mr. DAVENPORT. In other words, you think that if the grade of coal is not very good the Secretary should let it on any kind of a contract that he desires?

Mr. RAKER. In his judgment and wisdom, as a sworn officer to protect the Government and to deal fairly with the applicants.

Mr. DAVENPORT. But as to a higher grade of coal, you think it ought to be let on competitive bids, and you would not want to trust the judgment of the Secretary of the Interior?

Mr. RAKER. It is not a question of trusting. It is a question of giving every man a chance who wants to invest his money and export that coal.

Mr. DAVENPORT. By the terms of the bill it is absolutely made a question of judgment.

Mr. MONDELL rose.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that the time for debate on this amendment be limited to five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I rise to support the amendment offered by the gentleman from Oklahoma [Mr. DAVENPORT], and I want to call attention to this very remarkable feature of the situation: We have prescribed some elaborate conditions or provisions under which the Secretary is to lease—what? Why, the Matanuska and Bering coal fields. What part do they constitute of the coal fields of Alaska? Perhaps 1 or 2 per cent; and then, after having done all of that, we condense all of the provisions with regard to the leasing of the balance of the coal fields of Alaska into a line and a half of the bill, turning it over to the Secretary of the Interior to do with as he sees fit. Lignite coal! Why, if this language

were used in a general leasing bill it would apply, just as it does in Alaska, to nine-tenths of the coal. I am not very enamored of the plan proposed in the bill. I should like to offer an amendment providing what I believe to be a more workable plan of leasing, but if the gentlemen on the committee have any confidence at all in their plan they ought to stick to it, and they should not provide an elaborate plan, the fixing of minimum royalties by the Secretary, and the offering and the receipt of bids. They should not make that provision with regard to 1 or 2 per cent of the coal, and then say with regard to the balance, "Mr. Secretary, you may do with it as you see fit. We are not much interested in the remainder, after the Matanuska and Bering fields are disposed of." What about these great areas in the interior, which eventually probably will be more valuable in the development of Alaska than the Matanuska and Bering fields—high-grade lignite, much of it as good as much of the coal now mined in Wyoming, Colorado, and Montana? Those are the fields that will be used largely for the development of the interior, and if the provisions with regard to leases, with regard to calling for bids, are wise and just and equitable, why not apply them to all of the coal fields of Alaska and not to 2 or 3 per cent of the coal fields of Alaska only?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the amendment was rejected.

Mr. GOOD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 4, line 9, after the word "act," insert:

"Provided further, That the Secretary of the Interior shall not during any calendar year lease to exceed 10 per cent of the total area of unreserved coal lands in Alaska."

Mr. FERRIS. Mr. Chairman, I think that limitation is a good one, and I have no objection to it at all.

The CHAIRMAN. The question is on the amendment of the gentleman from Iowa.

The amendment was agreed to.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 3, line 12, insert after the word "shall" the words "in his discretion," and strike out in lines 14 and 15 the words "upon a royalty fixed by him in advance, shall."

Mr. MANN. Mr. Chairman, there is not so much need of this amendment as there was before the amendment of the gentleman from Iowa was agreed to, but under the language of the bill the Secretary is required to offer any coal lands for lease upon the request of any person. Well, nobody knows. I would leave it so it is in his discretion.

Mr. FERRIS. I am in favor of that.

Mr. MANN. Another provision in the same connection in the bill proposes competitive bids and requires the royalty to be fixed in advance.

Mr. FERRIS. Will the gentleman yield there?

Mr. MANN. I will.

Mr. FERRIS. I will give the gentleman the thought of the committee on the subject. The thought of the committee on the subject was this, that the Secretary would first appraise the land—they have already had a 16-year classification—and he would first say, in his discretion, what the coal is actually worth and what royalty they should get. In addition to that he would advertise for bids for bonuses to determine priority. They would get the benefit of any bonus that was bid to determine priority. Now, the gentleman's idea is that they ought to bid the exact royalty rather than the bonus, and I am not—

Mr. MANN. My idea is to leave it so it is open and not require the royalty to be fixed in advance, because it might be much fairer to have competition on the amount of royalty than it is to pay a bonus to begin with. It takes a lot of capital to begin with, to pay the bonus, whereas if the competition was on the royalty then a man without so much capital would have an even chance with the one who had more capital. I simply did not wish to foreclose it either way, but to leave it in the control of the department.

Mr. FERRIS. Will the gentleman yield?

Mr. MANN. Yes.

Mr. FERRIS. I recognize the committee was almost evenly divided, as I recall it, on the proposition which way it should go, and, as I recall it, the committee deferred somewhat to me, perhaps more than it should, because in my State the Interior Department does let Indian leases precisely on that basis. They go in and block the land off and they say this ought to lease for a certain royalty. They fix it as best they can with all the information before them. Then they advertise for

bonuses to A, B, C, and all prospective bidders. That is the theory upon which we're going.

Mr. MANN. Of course, if there is any real competition, why this provision of the bill would be unobjectionable. I do not know whether they will have real competition or not, but if there is real competition in any case it would be more desirable to have competition in some cases on the amount of royalty rather than to put down and limit the same to begin with. In any event, the Secretary of the Interior would have the right under the language proposed to fix the minimum royalty, if he desired to do so.

Mr. FERRIS. If the gentleman will permit me to state a specific case to the gentleman, suppose the demands for coal leases in Alaska are not very brisk, and suppose, after the Secretary had blocked out the land and got ready to lease it, as he will have to do, only one bid was made upon each tract, or suppose a corner of men should agree among themselves what they would pay, then there would not be much competition, and I am fearful we would not even get the appraisement, much less the bonus.

Mr. MANN. There would not be any.

Mr. FERRIS. Then, if you are without a provision which guards it, that coal lease might be sacrificed.

Mr. MANN. I do not cut out appraisement nor do I cut out the right of the Secretary to fix the minimum royalty in advance.

Mr. FERRIS. But would not the inference follow, if you cause them to bid upon the royalty instead of bidding upon the bonus, that you would get less?

Mr. MANN. Well, I do not think so. I think it is quite conceivable that there might be a case where we want to have competition on the royalty. In another case you might want to have competition on the bonus, and I would leave that to the Secretary. I took it that all cases that arise necessarily will not be on all fours. There will be a difference here and a difference there. Now, you leave it to the Secretary to fix the amount of royalty now and under the language I propose, you still have that authority and could still fix the royalty in advance just the same.

Mr. FERRIS. Just a moment. On page 3, line 12, after the word "shall," you want to insert "in his discretion"?

Mr. MANN. Yes.

Mr. FERRIS. So far as I am personally concerned, and I think the committee is with me, I think that is very desirable. Now, in lines 14 and 15, you propose to strike out just what language? I have not the gentleman's amendment before me.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that the gentleman may have two or three minutes more.

Mr. MANN. I will not use more time than is necessary.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from Illinois may proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. I propose to strike out "upon a royalty fixed by him in advance," so that it will read:

And thereafter the Secretary of the Interior shall from time to time, upon the request of any qualified applicant or on his own motion, offer such lands or deposits of coal for leasing and shall award leases thereof through advertisement by competitive bidding.

Mr. FERRIS. I have no objection to the gentleman's amendment.

Mr. MONDELL. Mr. Chairman, I desire to offer an amendment.

Mr. FERRIS. Mr. Chairman, let us dispose of this. I ask unanimous consent that all debate on the amendment just offered be closed.

Mr. MONDELL. Mr. Chairman, I offer the following amendment to the amendment as a substitute, and I would like to have five minutes on my substitute.

Mr. FERRIS. I ask unanimous consent that at the expiration of six minutes, five minutes to be controlled by the gentleman from Wyoming and one minute to be controlled by the committee, debate on these amendments and the paragraph be closed. We have accepted one amendment.

Mr. MONDELL. Does the gentleman say the paragraph? I have two other amendments I desire to offer.

Mr. FERRIS. The gentleman can offer them.

Mr. MONDELL. But I want a little time in which to discuss them. I do not intend to take much time.

Mr. MANN. I have an amendment I would like to have a minute or two minutes on.

Mr. FERRIS. I ask that at the expiration of six minutes debate close on this amendment.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to close debate on the pending amendment in six minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I offer as a substitute for the amendment offered by the gentleman from Illinois [Mr. MANN] the following:

Insert, on page 3, line 14, after the word "upon," the words "not less than."

The CHAIRMAN. The gentleman from Wyoming offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, line 14, after the word "upon," insert the words "not less than."

The CHAIRMAN. Does the gentleman offer that as a substitute to the pending amendment?

Mr. MONDELL. As a substitute.

Mr. Chairman, I can not entirely agree with the amendment offered by the gentleman from Illinois [Mr. MANN]. The plan proposed in this bill, as I understand it, is this: The Secretary of the Interior fixes a minimum royalty and other conditions and then asks for bids. The bidder may either offer a bonus in cash, I assume, or what he ordinarily would do would be to offer a bonus in a higher royalty. It had occurred to me that was what would be done in most cases. Now, unless the Secretary does fix a minimum royalty, the minimum is the royalty fixed in this bill. And if in any case there was no bid above the minimum royalty fixed in the bill—no bonus offered—the lease would be made, I assume, at the minimum royalty. The proposition might be worth considerably more than that. That might be too low a royalty. It seems to me that if you are going to adopt this plan of bidding—this plan of attempting to secure the highest possible royalty—it would not do to accept the amendment offered by the gentleman from Illinois. I do not entirely approve of this plan. I think it would be very unfortunate in the continental territory of the United States. If you are going to adopt it in Alaska, it is essential as the base, the very foundation of your plan, that the Secretary will say that the lessee must pay at least so much. He must under this plan at least do certain things, and the Secretary is to ask those who desire to lease to say how much more they are willing to pay, what further they are willing to do, to show their good faith, and to give them a preferential right. The Secretary must judge between bidders on the basis of what they offer and what they propose to do in the public interest. So it seems to me essential that you retain that minimum royalty; otherwise your minimum is your 2 cents a ton. Now, the amendment which I have offered simply perfects the bill as I thought the committee intended it. It makes it clear that this royalty fixed by the Secretary is a minimum, and that a bidder would be expected to bid above it if there was any competition.

Mr. FERRIS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. FERRIS. I am almost persuaded that the gentleman is right. The committee considered whether to take it at the appraised value or to bid an actual royalty. Now, the gentleman from Illinois [Mr. MANN], whose head is generally clearer than the heads of the rest of us, thinks the best way is to have them get a royalty, and it is the simple way. We handled our school lands in the State that way. We appraised them, and asked a bonus. We have handled coal leases in that way, and we have never had complaints of any partiality, and we think it is a pretty good way.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

Mr. HUGHES of West Virginia. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, line 9, after the word "exceeding," strike out "two" and insert "five."

Mr. HUGHES of West Virginia. Mr. Chairman, I think that this amount should be increased. The bill says that a lease shall not exceed 2,560 acres. Now, it seems to me the whole tendency of the committee is to lease coal lands in Alaska, but when you put limitations on the leases we can not get anybody to go there and open the coal mines. If you are really in earnest about leasing these coal lands in Alaska, the limitations in this bill are too small to get a modern equipment and people with capital to go there and lease these lands. Take the coal

lands throughout the country, and especially in West Virginia, with quantities of undeveloped coal lands, and the people are not going from there to Alaska for coal lands when the limit is 2,560 acres. I hope the committee will adopt my amendment and increase that to 5,260 acres. It should really be 10,000 acres.

Mr. FERRIS. Mr. Chairman, the gentleman is not without considerable logic and considerable practicability, and he is backed up in his views by a good many coal men. But in the Territory of Alaska there are only 744,400 acres of known coal. Out of that we reserve 5,000 acres in the Bering field, out of that we reserve 7,000 acres in the Matanuska field, and out of that we reserve 7,000 acres in the Nenana field, and out of that we authorize the Secretary of the Interior, in his discretion, to make additional reservations for the Navy and the Army from the other fields. I doubt if we had better accept the amendment of the gentleman, which would, of course, limit the scope of operations up there and confine them to half of the number of men or concerns that can now go in and have a chance. I know that many practical coal men advocate this unit up there. I have consulted, no longer ago than this morning, the Bureau of Mines and the Geological Survey, and I have looked at the hearings and examined the testimony of Dr. Alfred H. Brooks, who for 15 or 16 years has been in Alaska examining these coals, and they say that 2,560 acres, which is four complete sections of a mile square, is the proper area to go in a lease in Alaska. For that reason I very much hope the gentleman's amendment will not be agreed to.

Mr. MADDEN. How many coal mines have these men ever operated?

Mr. FERRIS. Dr. Brooks has been up there for 16 years. He is a geologist, and his business is to look into the coal mines of the United States and Alaska. Dr. Holmes has been in Alaska and has been in nearly all of the mines in the United States.

Mr. MADDEN. How much salary do they get?

Mr. FERRIS. Not as much as we do, but they do not have to run for office every two years.

Mr. MADDEN. If they were worth more, they would be getting it.

Mr. FERRIS. You and I may be worth more than we are getting.

Mr. MADDEN. I am worth more than I get here, or I would not be here.

Mr. FERRIS. I do not get any more than I get here, I am sorry to say.

Mr. HUGHES of West Virginia. Mr. Chairman, will the gentleman permit a question?

Mr. FERRIS. I will.

Mr. HUGHES of West Virginia. I want to know if Dr. Holmes thought that these 2,560 acres would be a suitable lease for that part of the country?

Mr. FERRIS. He does, and the hearings and telegrams from him show it. He thought that would be all that we should put in the bill and all that we would be able to get through, and he thought that would be large enough. They know pretty definitely where the coal areas are. As the gentleman from West Virginia knows, those back areas will not probably be mined in the gentleman's lifetime or mine, and only those fields down in the Matanuska region and those in the Bering region will be mined, and we would not be justified in giving it only to a few men.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from West Virginia [Mr. HUGHES].

The question was taken, and the amendment was rejected.

Mr. MONDELL. Mr. Chairman, I offer an amendment on page 3, line 19. After the word "States," strike out the balance of the line.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wyoming.

The Clerk read as follows:

Page 3, in line 19, after the word "States," strike out the remainder of the line.

Mr. MONDELL. Mr. Chairman, the words I move to strike out are "or has declared his intention to become such."

Mr. FERRIS. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. FERRIS. After conference with gentlemen who sit near me, I am informed that we did agree to the same amendment in the water-power bill, and we are willing to accept it here.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wyoming.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 5, strike out the words "and file with the application or bid," and insert, after the word "bond," in line 6, the words "to be approved by the Secretary of the Interior"; strike out, in line 6, the words "in advance"; strike out, in line 7, the words "the Secretary of the Interior" and insert the word "him"; so that the proviso will read: "That each applicant for lease under this act shall execute a good and sufficient bond, to be approved by the Secretary of the Interior, in such reasonable sum as may be fixed by him, to insure," etc.

Mr. MANN. The language of the bill requires each applicant to file with the application a bond. I do not know just how you can do that.

Mr. FERRIS. Mr. Chairman, after conference with the members of the committee, we think the amendment suggested is good, and we will be glad to accept it.

Mr. MANN. This puts it in the proper form.

Mr. STAFFORD. It is quite customary that men bidding on public work shall be required to file a bond or a certified check as an evidence of good faith.

Mr. MANN. I will say to the gentleman that it is not necessary.

Mr. STAFFORD. In the State of Wisconsin it is customary, both with regard to municipal and State work.

Mr. MANN. It is quite customary to put up money or a bonus on the making of a contract, but it is nonsense to require a man to file a bond, which he will have to pay for and which will do him no good unless he gets the lease, and he does not know whether he will get the lease or not.

Mr. STAFFORD. I suppose the purpose of the framers of this measure was to prevent haphazard bidding by persons who were not responsible.

Mr. MANN. The Secretary has the right to require them to put up a deposit under the form of bid that he makes. A man can not furnish a bond that would be any good, anyhow.

Mr. STAFFORD. Of course he could.

Mr. MANN. I say he could not.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last word.

Mr. MONDELL. And, Mr. Chairman, before I discuss that last word, I desire to ask unanimous consent to insert as a part of my remarks a coal bill which I drew some years ago and which did not pass, but which is still a much better coal bill, in my opinion, than the one pending before us.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to insert in the RECORD a coal bill. Is there objection?

There was no objection.

Mr. FERRIS. I would like to know, Mr. Chairman, if it is a receipted bill?

Mr. MONDELL. Yes; fully receipted.

Following is the bill referred to:

A bill (H. R. 32080) to provide for the leasing of coal lands in the District of Alaska, and for other purposes.

Be it enacted, etc., That all lands in the District of Alaska containing workable deposits of coal are hereby reserved from all forms of entry, appropriation, and disposal, except under the provisions of this act: *Provided*, That nothing herein contained shall in any manner affect any claims or rights to any such coal lands heretofore asserted or established under the land laws of the United States, and all such claims and rights shall be treated, passed upon, and disposed of as though this act had not been passed.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized, for and on behalf of the United States, to issue licenses granting the holders thereof the right to prospect and explore for coal on the vacant public lands in the District of Alaska and to execute leases authorizing the lessee to mine and remove coal from such lands. No license or lease shall pertain to an area of more than 3,200 acres, and all such areas shall be in reasonably compact form and conform to the public-land surveys in all cases in which said surveys have been extended over the lands. No prospecting permit shall be issued for a longer period than three years, but upon a showing of due diligence on the part of the lessee in prospecting and exploring, the Secretary of the Interior may, in his discretion, extend the license for a period not exceeding one year. All licensees shall pay in advance a fee of 25 cents per acre for the first year covered by their license, 50 cents per acre for the second year, and \$1 per acre for the third year, and at the same rate for any extension of the license. Lessees shall pay in advance a rental of 25 cents per acre for the first calendar year, or fraction thereof, 50 cents per acre for the second year, and not less than \$1 and not more than \$4 per acre for each succeeding year. The sums paid for rent by a lessee shall in every case be a credit upon the royalties that may be due for the same year. All lessees shall pay a royalty on each ton, of 2,000 pounds, of coal mined, as follows: From the passage of this act until the end of the calendar year 1920, not less

than 3 cents nor more than 6 cents per ton; for the succeeding 10 years, not less than 5 cents nor more than 8 cents per ton; for the succeeding 10 years, not less than 5 cents nor more than 10 cents per ton; and thereafter as Congress may provide. All leases shall be granted for such period as the lessee shall designate, but in no event for more than 30 years; but all lessees who have complied with the terms of their leases shall have a preferential right to an extension of their lease for a period not to exceed 20 years upon such conditions and the payment of such rents and royalties as Congress may prescribe.

SEC. 3. That any person over the age of 21 years who is a citizen of the United States, or any association or corporation composed of such persons, may apply for a permit to prospect for, or a lease to mine, coal in the District of Alaska, and upon compliance with the provisions of this act and the rules and regulations promulgated thereunder shall be granted a license or lease as provided herein, but no person, association, or corporation, or stockholder therein shall, during the lifetime of such permit or lease, receive or be permitted to hold, directly or indirectly, any other permit, lease, or license, or any interest therein to coal lands in Alaska under the provisions of this act.

SEC. 4. That applications for prospecting licenses and mining leases, and all payments on same, shall be made to such officer and in such manner as the Secretary of the Interior may designate, and in all cases where more than one application shall be received for a license or lease covering the same area, in whole or in part, preference shall be given to the qualified applicant who shall show prior possession in good faith, with a view of acquiring title to coal lands or prospecting for or mining coal, and reasonable diligence in applying for such license or lease, but the holder of a prospecting license shall have a preference right, during the period of his license, to apply for and obtain a mining lease to the lands covered by his license: *Provided*, That the Secretary of the Interior may adjust the boundaries of conflicting applications in such manner as will best promote the public interest by affording opportunities for speedy development.

SEC. 5. That all applications for licenses or leases shall describe the lands applied for according to the public-land surveys or private surveys which may have been approved by the United States surveyor general, or if on unsurveyed land by description by notes and bounds and reference to natural objects or permanent monuments as will readily identify the same. No license or lease shall be issued until after publication of the application therefor at least 30 days in some newspaper of general circulation in the land district in which the land is located and an opportunity has been given for the hearing of any protests which may be made during the period of publication against the issuance of such license or lease, and no lease covering unsurveyed land shall be issued until a survey shall have been executed, at the expense of the lessee, by or under the authority of the Secretary of the Interior, permanently marking the outboundaries thereof and subdividing the same according to the rectangular system of surveys. Licenses may be canceled by the Secretary of the Interior after reasonable notice for failure to pay rent when due.

SEC. 6. That all leases issued under the provisions of this act shall be upon the condition that the lessee shall proceed with due diligence to open a coal mine or mines on the leased premises and to produce coal therefrom during the life of the lease in such quantity as the condition of the market shall justify. That he shall not monopolize, in whole or in part, the trade in coal. That he will at all times sell the coal extracted from the leased premises at just, fair, and reasonable rates, without the giving of rebates or drawbacks, and without discrimination in price or otherwise, as between persons or places for a like product delivered under similar terms and conditions. That the mining operations shall be carried on in a workmanlike manner, with due regard to the permanence of the mine, without undue waste, and with especial reference to the safety and welfare of the miners. That the leased premises and all mines opened thereon and all maps and records of coal production shall at all times be subject to inspection and examination by such officers as may be provided by law or designated by the Secretary of the Interior for such purpose. That the lessee shall observe, abide by, and conform to all of the provisions and limitations of this act, and that he shall pay promptly all rents and royalties when due; and the Secretary of the Interior or any person in interest may institute in the United States district court for division No. 1, District of Alaska, appropriate proceedings for the enforcement of the terms thereof or of the provisions of this act. Appeals from the decisions of the said court shall lie to the United States Circuit Court of Appeals for the Ninth Circuit. Said leases shall also be upon the condition that the United States shall at all times have a preference right to take, wherever found, so much of the product of any mine or mines opened upon the leased land as may be necessary for the use of the Army or Navy or Revenue-Cutter Service, and pay such reasonable and remunerative price therefor as may be fixed by the President, but the owner of any coal so taken who may be dissatisfied with the price thus fixed shall have the right to prosecute suits against the United States in the United States district court for division No. 1, District of Alaska, for the recovery of any additional sum or sums claimed to be justly due upon the coal so taken.

SEC. 7. That no lease shall be granted or issued until the applicant shall have given a bond to the United States in such sum and with such surety as the Secretary of the Interior may prescribe for the payment of all rents and royalties and for the due and faithful compliance with all the terms and conditions of the lease. The existence of such bond shall be no bar to the institution of a suit for the enforcement of the terms of the lease or for its cancellation for the violation of the terms thereof or the provisions of this act, and a judgment of forfeiture of the lease shall be no bar to the enforcement by legal proceedings of the bond given in behalf of the lease.

SEC. 8. That no license or lease shall be assigned, mortgaged, or sublet, except to a person, association, or corporation qualified to receive and hold an original license or lease under the provisions of this act, and with the written permission and approval of the Secretary of the Interior; and whosoever succeeds to the interest of the licensee or lessee by foreclosure, purchase, or assignment shall be subject to all the limitations and obligations contained in the license or lease or in this act.

SEC. 9. That a license or lease may be terminated at any time on the application of the licensee or lessee and the payment of all rents and royalties which may be due, but no lease shall be terminated until the Secretary of the Interior shall have had an opportunity to have an examination made into the condition of the property and such reasonable provision shall have been made for the preservation of any mine or mines which may have been opened on same, as he may require. Upon the cancellation of the lease or its expiration, or upon the forfeiture thereof and the satisfaction of any judgment rendered in the decree of forfeiture, the retiring lessee may, under the supervision of the

Secretary of the Interior, remove or dispose of all of the machinery, buildings, or structures upon the leased premises, except such structures as may be necessary for the preservation of the mines.

Sec. 10. That no prospecting license issued under the provisions of this act shall give the licensee the exclusive use of any of the lands covered by his license, except for the purpose of prospecting and exploring the same, but all lessees under the provisions of this act shall enjoy the exclusive use of the surface, providing that this exclusive use shall in no wise interfere with the establishment and use of all necessary roads and highways, so located as not to interfere with the mining operations, and the granting by the Secretary of the Interior of such rights of way across such lands as may be necessary for use in the production, handling, or transportation of coal or other products of the District of Alaska.

Sec. 11. That the Secretary of the Interior is hereby authorized to issue limited mining leases to applicants qualified under section 3 of this act, and to municipal corporations, a tract not exceeding 160 acres in extent, and covering a period not exceeding 10 years, for the mining of coal for use in the District of Alaska. Such limited leases shall, in addition to the above limitations, be subject to all of the conditions of the general leases issued under the provisions of this act, except that a renewal of such lease shall be discretionary with the Secretary of the Interior and that the acquisition or holding of such limited lease shall be no bar to the acquisition or holding of a general lease provided for in this act, nor shall the holding of a general lease be a bar to the acquisition or holding of a limited lease.

Sec. 12. That 75 per cent of all the moneys derived from licenses and leases granted under the provisions of this act shall be paid into and constitute a part of the "Alaska fund" in the Treasury of the United States, provided for and created by the act entitled "An act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the District of Alaska, and for other purposes," approved January 27, 1905, and may be expended for the purposes described in said act; and the residue of the moneys derived from such licenses and leases shall be paid into the Treasury of the United States and constitute a part of the general fund of the Treasury. That the Secretary of the Interior shall make all necessary rules and regulations for carrying out the provisions of this act.

Sec. 13. That the reservation contained in section 1 of this act shall not prevent the location and patenting of lands containing workable deposits of coal under the mining laws of the United States with a view of extracting metalliferous minerals therefrom. But licenses and leases provided for in this act may be issued without regard to the fact that the lands may be covered by mining locations, and the Secretary of the Interior shall provide by appropriate regulation for the observance by licensees, lessees, and locators of the respective rights of each: *Provided*, That all patents issued under the mineral laws to such lands shall reserve to the United States all the coal contained therein, together with the right to provide for the prospecting for and mining of the same.

Sec. 14. That the provisions of the act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof or supplemental thereto are hereby extended to and made operative within the District of Alaska. That the Secretary of the Interior is hereby authorized and directed to make all necessary rules and regulations in harmony with the provisions of this act needful and necessary for the administration of the same.

Mr. MONDELL. I desire, Mr. Chairman, to discuss the last paragraph of this section. This is intended to protect lessees against adverse claims. It is very unfortunate, indeed, that a provision of that kind has to be placed in this bill. It is a reflection on the Government of the United States, and a reflection on the department having to do with the determination of land titles, that it is necessary to place in a piece of legislation like this a provision intended to prevent honest claimants from having an opportunity to have their claims taken before a court and adjudged and determined.

There are many claimants to coal lands in Alaska. Some of those claims a great many people believe are perfectly good. I have very little definite information on the subject. I have no definite opinion on the matter except with regard to one or two claims with which I am somewhat acquainted—one in particular. But that situation ought to be cleared up. Somewhere in the Government there ought to be some one with courage enough to say those people either are entitled to their lands or are not entitled to them. If that declaration were made, this provision would not be necessary, because no condition would arise—no condition would exist—under which anyone would attack the right of the lessee.

This is intended to prevent those who have been knocking at the door of the Interior Department for years, asking to have their claims adjudicated, from attacking the right of the lessee, and thus having a court pass upon their claims. It is regrettable that conditions exist that make that kind of a provision necessary.

Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

Sec. 4. That a person, association, or corporation holding a lease of lands or coal deposits under this act may, with the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure a modification of his or its original lease by including additional lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his

discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the original lease, shall not exceed 2,560 acres, through the same procedure and under the same conditions as in case of an original lease.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, line 10, before the word "conditions," insert the word "competitive."

Mr. MANN. Mr. Chairman, I think it is not clear under the bill whether the provisions of this section would refer to the competition which is provided for in the former section or not. I assume that was the purpose of the committee, but I do not think it is clear, and I offer the amendment to make it clear, if that is the purpose.

Mr. FERRIS. Mr. Chairman, will the gentleman yield for a moment?

Mr. MANN. Certainly.

Mr. FERRIS. If the provision in the previous section were right, which authorized the Secretary in isolated cases to lease without competitive bidding, for instance, inaccessible coal to miners for local use, would this amendment not be out of line with that?

Mr. MANN. I do not think so. This case is designed to cover a situation where a man has established coal-mining machinery, and maybe two or three plants in the same locality, and the field he is operating is exhausted, and he wants an extension.

Mr. FERRIS. I have no objection to the amendment if it fits; but the gentleman will recall that on page 3, in lines 16 and 17, my colleague [Mr. DAVENPORT] offered an amendment a short time ago to refuse to the Secretary the authority to lease without going through the advertisement plan in each case. The House did not agree with him about it and did not adopt his amendment. Now, I wonder if putting in competitive conditions here would not really make the legislation do the actual thing which the House said heretofore should not be done.

Mr. MANN. I do not think so. I do not think the House desired to say that the Secretary should have authority to lease 2,560 acres to somebody who has a plant there already, as a matter of favoritism.

Mr. FERRIS. But the original lease was under the conditions provided in the bill. Now, if a man takes any additional land, it will be under the same conditions, so that if it were competitive at the start it must be competitive in this instance; and if it were not competitive at the start, then it will not be competitive in this instance.

Mr. MANN. I think that was the intention, but I do not think that is the effect of this provision of the bill. That is the reason I offer this, so as to make it clear.

Mr. RAKER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. RAKER. The idea of the committee, as it appears to me, was that all the conditions surrounding the original lease should be applied to the second lease. The gentleman's amendment eliminates that and confines it to only one condition, namely, the competitive condition.

Mr. MANN. The gentleman is mistaken about that.

Mr. RAKER. If you say "on the same conditions," that includes all. If you say "competitive conditions," then none of the others apply.

Mr. MANN. I undertake to say that three men out of five who would read this language would say that the term "conditions" there referred to the conditions in the lease; that if you made a lease of 2,500 acres to-day to a man, and that was exhausted, and you proposed to give him a lease of 2,500 acres next door, it should be on the same terms.

Mr. RAKER. Through the same procedure and under the same conditions as in the case of the original lease. In other words, he will do the same thing on the second lease as he does on the first.

Mr. MANN. That is all I want, and I want to make it clear that he does.

Mr. RAKER. Then we agree on that, and it is only a question of words.

Mr. MANN. "Competitive conditions" cover it. There is no question about it.

Mr. RAKER. All right.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

The amendment was agreed to.

The Clerk read as follows:

Sec. 6. That no person, association, or corporation holding a lease under the provisions of this act shall hold any interest, direct or in-

direct, in any agency, corporate or otherwise, engaged in the resale of coal purchased from such lessee, or enter into any agreement, arrangement, or other device to enhance the price of coal, and any violation of the provisions of this section shall be ground for the forfeiture of the lease or interest held.

That any person who shall purchase, acquire, or hold any interest in two or more such leases, except as herein provided, or who shall knowingly purchase, acquire, or hold any stock in a corporation having an interest in two or more such leases, or who shall knowingly sell or transfer to one disqualified to purchase, or except as in this act specifically provided, disqualified to acquire, any such interest, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding \$1,000: *Provided*, That any such ownership and interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held two years after its acquisition and not longer.

That any director, trustee, officer, or agent of any corporation holding any interest in such a lease, who, on behalf of such corporation, shall knowingly participate in the purchase of any interest in another lease, or in the sale or transfer of any such interest in any lease held by such corporation to any corporation or individual holding any interest in any other lease under this act, except as herein provided, shall be guilty of a felony, and shall be subject to imprisonment for a term of not exceeding three years and a fine of not exceeding \$1,000.

Mr. RAKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add at the end of line 16, page 6, section 6, "and in case of minority or other disability, such time as the court may decree."

Mr. MANN. Mr. Chairman, the gentleman is endeavoring to correct what seems to be a patent defect in the bill, but I am not quite sure that he does it. The language of the bill makes it a felony for any person to hold stock in two of these corporations at the same time, with the provision that if it is acquired by will or descent he may have two years in which to dispose of it. Of course it is perfectly patent that many cases might arise where it would not be possible as a matter of time to dispose of it within the two years. The gentleman seeks to remedy that by saying:

Within such time as the court may decree.

What court may decree, and how may it decree it?

Mr. RAKER. We agree upon the principle. I am not in any wise cocky on the question.

Mr. MANN. I compliment the gentleman on having done what I have been unable to do yet—formulate any language that would cover it. Take this case, for instance: A man dies owning some of this stock, which he wills to a minor child, who already has other stock willed to him by somebody else. There is a contest over the will as to whether the will is valid or as to whether the minor child gets the property or not. It may take two years or five years before the Supreme Court of the United States determines the question of fact, which, when determined, relates back to the original probate of the will. Now, it is perfectly patent that there is no decree of court extending the time. It is perfectly patent that in fact you can not convict that minor child of a felony for doing something that it could not avoid, although you say so in the bill.

Mr. RAKER. I want to say to the gentleman that that provision created a great deal of discussion in the committee, and finally I felt that the provision was a very drastic one, and that there ought to be every provision to relieve those who receive property by descent, or will, or judgment, or decree, and that they should have two years after that time in which to dispose of it. I want to suggest to the gentleman that in the case he has stated the party would have two years after the final decree had been entered, after the right of appeal had been lost or exercised, after the Supreme Court had reversed its judgment and a new trial had been had, and another judgment entered, and again the time for appeal had expired. In other words, the decree provided for here, in the judgment of the committee, means the final, absolute, unqualified determination without the further right to be heard.

Mr. MANN. Unfortunately the court will not have before it the explanation of my good friend from California. As a matter of fact I am not so much distressed about the fear of some minor child or insane person being convicted of a felony for doing something which he could not avoid, as I am that provisions like this will keep sensible men from investing in coal mines. The proper method is not by making it a penal offense, but by making the stock subject to seizure by the Government.

Mr. RAKER. Would the gentleman from Illinois suggest any language that would cover it?

Mr. MANN. I have not the language to suggest. I shall not vote against the gentleman's amendment, although I do not think it quite covers the case.

Mr. STEPHENS of Texas. Will the gentleman allow me to make a suggestion that he add before the word "judgment" the word "final"?

Mr. MANN. That would not make any difference about this. The person who acquires property by will does not acquire it by virtue of the decree of the court in the end; he acquires it by virtue of the will.

Mr. HOUSTON. I will ask the gentleman if this would not carry out his idea—instead of the words he has offered insert these: "Provided, That in case any minor shall acquire such interest he shall be held not to have acquired it until he has attained his majority."

Mr. RAKER. I will ask the Clerk to again read my amendment.

The CHAIRMAN. The Clerk, without objection, will again report the amendment offered by the gentleman from California. The Clerk again read the amendment.

Mr. RAKER. The gentleman will see that that leaves it in the shape that when the court makes the final decree and disposes of it, if it is a minor, it would give him two or three or four years to dispose of it.

Mr. HOUSTON. Is not that too indefinite unless you add a provision for the court to adjudicate it, and is it not legislation depending upon a contingency?

Mr. RAKER. It is always for the court in rendering a decree for final distribution to say when the minor shall take it. He can not take it until he is of age.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Page 6, line 1, after the word "price," insert the words "or to limit the output."

Mr. FERRIS. I think the amendment offered by the gentleman from Iowa is a good amendment and the committee will accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

Mr. SELDOMRIDGE. Mr. Chairman, I move to strike out the last word. I do that for the purpose of asking the chairman of the committee if it is the purpose of this section to prohibit the organization of a selling company by the lessees of the coal mines under the lease?

Mr. FERRIS. It is. I confess to the gentleman and to the House that these two sections are intended to break down and prevent monopoly, and to get the mines developed without all the noise and trouble with reference to manipulation and monopoly and previous methods that have been complained of. On page 4 of the bill is this provision:

Provided further, That each applicant for lease under this act shall execute and file with the application or bid a good and sufficient bond, in such reasonable sum as may be fixed in advance by the Secretary of the Interior, to insure good faith in the fulfillment of the terms and conditions of the bid, the lease, and of this act.

I think that is worth pages of these recitals of this amendment and that amendment which the department's legal force have got up and which they thought would protect the bill.

Mr. SELDOMRIDGE. Mr. Chairman, it seems to me that it is as vital for the leasing system that the holders of leases should have the opportunity to retail and dispose of their product as it is to give them an opportunity to produce it. If the bill limits the holding of stock to selling agents of one corporation only, I do not see where any objection could be raised against it. I can conceive of a case where it might be to the advantage of the lessees to organize selling companies in cities where the market might be extensive, where capital could not be secured from other sources, to embark in selling companies, and it might be necessary for the lessees to control and operate companies having for their object the selling and marketing of coal. I can see where a vital connection might be established between these two agencies that would contribute largely to the development of the market of the coal. I for one believe that the restriction provided here in section 6 will greatly hamper and retard the actual development of coal land, and that it would be most salutary and adding to the efficiency of the measure if lessees might have the privilege and permission to invest in stock in selling agencies or assist in other organizations and operations, and I submit to the committee that I believe the provision as it now stands will greatly restrict and interfere with the development of the leasing system.

The Clerk read as follows:

SEC. 7. That for the privilege of mining and extracting and disposing of the coal in the lands covered by his lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be not less than 2 cents per ton of 2,000 pounds, due and payable at the end of each month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal

deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and \$1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of continued operation of the mine or mines, except when operations shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine unless otherwise provided by law at the time of the expiration of such periods.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The gentleman from Alabama [Mr. HEFLIN], who, I regret, is not here—he seldom is—told us a moment ago—

Mr. RAKER. Mr. Chairman, would not the gentleman—

Mr. MONDELL. Oh, I am going to confine myself to the bill and this is simply preliminary—told us a few moments ago that the Democratic Party in this Congress had done more for the West than the Republican Party in 16 years. The gentleman said that with that fullness of tone with which he always utters his oracular statements with regard to matters about which he knows nothing. Between the time that utterance was made and the time when the gentleman from Illinois [Mr. MANN] called on him to make good, he did make some inquiries from the gentleman from Oklahoma as to just what the Democratic Party had done for the West, and the gentleman put it down for him on a sheet of paper, from which he later read, a few things that this Democratic Congress is alleged to have done for the West, among which was the reclamation extension bill, a very good measure. For their assistance in carrying out that pledge of the Republican platform we thank the gentlemen on the other side. But the gentleman said, "We built you a railroad or are going to build you a railroad in Alaska," and the gentleman from Alabama knows so little about the country that he thinks Alaska is a part of what we call the West.

Improvements in Alaska do my part of the country just about as much good as they do the country of the gentleman from Alabama; but we are glad to see Alaska prosper, nevertheless. This is just what we did do for Alaska, and this section of the bill illustrates it. This section of the bill provides for the leasing of the coal lands in Alaska, turns over to the Secretary of the Interior coal lands of that far northwest Territory, and provides that he shall call for bids under which the opportunity to mine goes to the man who is the highest bidder. The longest pole in the way of a bid gets this coal persimmon. They then take the proceeds of Alaskan coal fields and with those proceeds we are going to build a railroad. It is true that we have advanced enough for the survey, but all of these proceeds, all of these royalties which in Alabama go to the individual, and are taxed for the benefit of the county or the city or the State, in Alaska are to be used for building railroads. It may be a good arrangement, but it is not the wonderfully liberal arrangement the gentleman from Alabama would have us understand. While we are doing that, providing that Alaska may use the royalties from her own coal lands to build her railroads, we are appropriating thirty and forty and fifty and fifty-five million dollars a year out of the Treasury of the United States in the river and harbor bill to be used largely on rivers along the southern border, to be used largely in the district of the gentleman from Alabama, and yet they grow eloquent about the liberality of the Democratic Congress, which says to Alaska, "You may take the proceeds of the development of your own resources to build your railroads." Mr. Chairman, as to this Democratic Congress having done anything for the Northwest—for the real Northwest—I have not heard of it. They put our greatest single industry—the sheep and wool industry—on the "bum." They closed eight of our sugar factories and prevented from starting five that were built before the bill was introduced, with the expectation of starting this year, and they have not given us as yet any new land laws of importance. Those that are proposed—the water-power bill, the general-leasing bill, the stock-raising homestead bill—not one of these would, as it now stands, receive the support of any western community. If the gentleman from Alabama has reference to what this Democratic Congress has done to us, it is a plenty. What it has done for us comes near being a minus quantity.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. FERRIS. Mr. Chairman, there is nothing pending before the committee.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Wyoming.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to close debate on this section at the expiration of 25 minutes.

Mr. MANN. Mr. Chairman, reserving the right to object, I am perfectly willing to limit the debate to 25 minutes, but I thought we had an understanding the other day that ordinarily during the hot season we would quit at 5 o'clock. We can not get through to-night, anyway. Is the gentleman expecting to rise at 5 o'clock?

Mr. FERRIS. We are getting along so nicely I hope the gentleman will let us go on further.

Mr. MANN. Oh, well, there is no chance of getting through to-night. I am perfectly willing, so far as I am concerned, to finish this bill to-morrow. Of course, that could only be done by unanimous consent in the House. Probably it will not take a very long time. It could not be done in committee.

Mr. FERRIS. Of course, you can not get unanimous consent in the committee. Would the gentleman be content to let us run until 5.30 and get along as far as we can?

Mr. MANN. There was an understanding the other day that we should quit at 5 o'clock under ordinary conditions.

Mr. HEFLIN. Mr. Chairman, regular order.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to close debate at the expiration of 25 minutes.

Mr. MANN. On this section?

Mr. FERRIS. On this section and all amendments thereto.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate upon the pending section and all amendments thereto close at the end of 25 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BARKLEY. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Wyoming striking out the last word. I do so for the purpose of asking the chairman of the committee a question. I notice in this section of the bill that it is provided that the Secretary of the Interior, in reference to these leases, shall provide for the payment of royalty not to be less than 2 cents per ton, and in addition to that provision is made for rentals by the acre at 25 cents, 50 cents, and \$1 an acre, and a provision also that this acreage shall be credited against the royalty.

Mr. FERRIS. That is true.

Mr. BARKLEY. Do I understand that that means that the lessee shall be given credit upon this 2 cents per ton by the amount of rent that might be due per acre?

Mr. FERRIS. The gentleman has correctly interpreted it. The \$1 and the 50 cents and the 25 cents per acre is merely to enforce development, so that there can not be any speculation in the holding of leases.

Mr. BARKLEY. Then this acre rental would only be paid to the Government in the event that there was no tonnage produced from the land?

Mr. FERRIS. That is right.

Mr. BARKLEY. Is there not a provision here that if there is no development that the lease shall be forfeited after a certain period?

Mr. FERRIS. There is; we have a forfeiture clause coming in a little later in the bill.

Mr. BARKLEY. What length of time does that provide?

Mr. FERRIS. At any time there is a breach in the conditions of the lease, the law, or the regulations in connection therewith they can come into court and ask that the lease be canceled.

Mr. BARKLEY. But there is no provision if there is no development in a certain period of years that it shall be forfeited. It is only for violation of the terms and conditions of the lease.

Mr. FERRIS. The bill provides that it must be continuous, with certain exceptions, such as market conditions preventing, and so forth.

Mr. BARKLEY. Then the acreage would not be available unless there was some violation of the lease.

Mr. FERRIS. In that event they do not produce any coal.

Mr. BARKLEY. The chances are—

Mr. FERRIS. They would be also subject to forfeiture.

Mr. BARKLEY (continuing). That they will either produce coal or quit?

Mr. FERRIS. That is true. Let me suggest to the gentleman: Suppose during the first year they did not get sufficient supplies; suppose they did not get in their machinery; they would then have to pay the rent. Suppose during the second year they did not get out coal to any extent on account of accident or climatic conditions, they would again pay the rent. We are certain to get that much for the land as long as it is held, and in addition to that the Government may step in a court of competent jurisdiction and cancel the lease if they do not develop it and comply with the law. The 2 cents per ton is only a minimum provision, which applies to the royalty only in the inaccessible lignite fields, but in the Matanuska and the

Bering fields we not only provide an appraisal, but on top of that we provide for competitive bids to determine what the royalty really should be, so that the Government has a dual chance to get all that is coming to it, first, through appraisal, and, second, through competitive bidding.

Mr. BARKLEY. But for all practical purposes this acreage rent is merely a nominal rent?

Mr. FERRIS. Yes; they have to pay that much, even if they do not produce a pound of coal.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words. I see it is the purpose to invest in the Secretary of the Interior the right of fixing the rate at 50 cents per acre for the second, third, fourth, and fifth year, respectively, and \$1 per acre for each and every year thereafter, and so forth. I think this language is ambiguous as to whether the stated amounts should be the fixed rental or whether they should be the minimum.

Mr. FERRIS. The gentleman called my attention to that when he was speaking the other day. If he has an amendment prepared, I will be glad if he will offer it.

Mr. STAFFORD. Mr. Chairman, I withdraw my pro forma amendment, then, and offer an amendment to insert before "50," in line 14, the words "not less than," and before "\$1," in line 15, the words "not less than."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 7, line 14, after the word "thereafter" insert the words "not less than."

Page 7, line 15, before "\$1" insert the words "not less than."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

Mr. THOMSON of Illinois. Mr. Chairman, I move to strike out the word "thereafter," in line 14, page 7.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 7, line 14, strike out the word "thereafter."

Mr. THOMSON of Illinois. Mr. Chairman, it is clearly a provision for a charge of 25 cents per acre for the first year, applied to the period, or one year after the date of the lease. The word "thereafter" does not mean anything. The meaning will be clear without it. I think it is superfluous, and therefore I move to strike it out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. WILLIS. Mr. Chairman, I desire to offer an amendment. The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 7, line 7, at the beginning of the line strike out the figure "2" and insert in lieu thereof the figure "4."

Mr. WILLIS. Mr. Chairman, I have listened to the explanation given by the chairman of the committee and to the discussions participated in by others relative to the minimum royalty that should be provided by this legislation. I have not been convinced that it is a wise or safe proposition to provide a royalty so low as is suggested here; that is, to provide a minimum so low. I admit I have no very detailed information about the coal business, but I do know enough about it to say that this royalty of 2 cents per ton seems exceedingly low. I realize that the commendable purpose of this bill is to secure the working of the coal in Alaska. We all want these great coal fields opened to use by our people. The Cordova Chamber of Commerce says:

The Bering River field can be opened and coal placed on the market at Cordova in 90 days from the beginning of construction. A line of railroad 38 miles long, branching from Mile 38 on the Copper River & Northwestern Railroad, will reach to the heart of the field.

With these conditions surrounding us we respectfully ask: Is it the part of good judgment to longer delay the opening of Alaska coal on some basis, either by a leasing bill of such liberal provisions that American capital will undertake it, or by Government operation?

We appeal to you, who have the power and authority to do this, to give it your earnest and conscientious consideration, believing that you will arrive at the same conclusion that we have, viz, that the opening of Alaska coal is not only an absolute necessity, but a duty that Congress should at once perform.

Yet we ought not to forget in our eagerness to secure the development of Alaska that this coal belongs to all the people. It seems to me we ought properly to guard their interests. I do not believe, Mr. Chairman, that it is wise legislation to put into the hands of any Cabinet officer the authority to lease the coal at so low a royalty as is provided by this paragraph. And

consequently the amendment which I have offered proposes a minimum royalty of 4 cents per ton of coal instead of 2 cents.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. WILLIS. Certainly.

Mr. HUMPHREY of Washington. Does not the gentleman believe that whatever royalty is charged will eventually appear in the price to the consumer? Is it not simply cutting off at one end and adding to the other?

Mr. WILLIS. I hardly think that is true. If that be true there ought not to be any royalty at all. The Government ought not to charge anything for any of its property, it ought not to charge anything for the land it is selling. I do not think that argument is good. I think it proves too much. I think that property belonging to all the people ought not to be disposed of except on a guaranty of fair compensation to the people. It does not seem to me that a minimum royalty of 4 cents a ton for coal is too large, and I do not think we ought to put into the power of any Cabinet officer the authority to lease coal at so low a royalty as is here provided.

It may be said there will be competitive bidding. Of course, there will be in form at least. But everybody knows there is the greatest opportunity in the world for collusion among bidders, and why should we put that burden upon the Secretary of the Interior? Why ought we not say that the minimum royalty in any case shall be 4 cents per ton?

Mr. GORDON. Mr. Chairman, why should we not make it higher than that? Why not make it 10 cents a ton?

Mr. WILLIS. I am not so sure that it ought not to be higher than 4 cents a ton.

Mr. PAYNE. Why make it so high that they can not possibly mine any coal? Is the royalty 10 cents a ton in Ohio?

Mr. WILLIS. I am frank to say I do not have complete information on that point.

Mr. PAYNE. The highest royalty paid in Ohio, Pennsylvania, and West Virginia is 10 cents.

Mr. WILLIS. I know of one lease where it is 12 cents per ton.

Mr. PAYNE. The usual royalty is 10 cents. Now, why put it so high for Alaska? Why not have these coal mines opened, and then if you want to increase it afterwards, increase it, but let us open the coal mines?

Mr. WILLIS. I quite agree, Mr. Chairman, that we want to open the coal mines, but we do not want to make the mistake that has been made here in years past and gone, where Congress has been so eager to open the public lands and resources of the United States that they have been practically given away. We are trustees of this great property for the use of the people of Alaska and of the whole United States. As trustees we should not pass title to others except upon assurance of adequate compensation to those for whom the property is held in trust. While we want to develop Alaska, we ought not to give away public property.

That is what I am opposing. I do not think that a royalty of 4 cents per ton for coal is in any sense prohibitive. I think it is only fair, and I think the amendment ought to be adopted.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman.

Mr. RAKER. It all depends on where the coal is, does it not?

Mr. WILLIS. Well, that is one factor.

Mr. RAKER. Then, if the coal is out so far that you could not get it to market at all, 2 cents a ton would be prohibitive, would it not?

Mr. WILLIS. Oh, if it is out so far that you could not get it to market at all, any royalty whatever would be prohibitive.

Mr. FERRIS. Mr. Chairman, I recognize that the writing of a minimum price of 2 cents a ton in the bill looks to those who have not studied conditions ridiculously low. People in the East talk about 6 cents royalty or 7 cents royalty or 10 cents royalty to the ton. That is all right for the East, where transportation is available, but it is all wrong and out of proportion for Alaska. Let me call the attention of the committee to a letter received from the Director of the Geological Survey which bears on this particular point. I may say that the view of the Director of the Geological Survey is borne out by the Director of the Bureau of Mines and by the rest of the Department of the Interior.

Much of this coal is back in the interior that will not bear mining at all, much less any royalty. Much of it will never be scratched in our lifetime. This bill ought to be passed and receive the signature of the President in such a form that it will be practical and worth something. The gentleman from New York [Mr. PAYNE] is right. We ought to sell a razor here that will shave. Anybody that thinks we can pile up the royalty sky-high and get any development up there is utterly mistaken. I would not want to be a party to the passage of a bill that

would place any maximum on the rate of royalty, because I believe the Secretary of the Interior ought to be allowed to get all he can for it, just as the gentleman from Ohio [Mr. WILLIS] believes, but I do not think you should tie the hands of the Secretary so that he would be unable to get any mining or development at all. In that event we would of course get no royalty and Alaska would still be tied up.

Mr. RAKER. Mr. Chairman, will the gentleman permit me a question right there?

Mr. FERRIS. In a moment. I read from the letter of the Director of the Geological Survey. He says:

I realize that the mining royalty provided under section 7 may seem too low to some of us who pay \$1 for coal here in Washington; but it must be remembered that coal royalties in the Rocky Mountain States are as low as 7 cents for coking coal. More important to note is that coal-mining costs in Alaska are as yet unknown, and this infant industry will need to be given certain advantages; and 2 cents, under certain conditions, may prove a real burden, while in other parts of the same field a much higher royalty may well be fixed by the Secretary of the Interior without raising the market price of the coal from that mine. Again, the bill wisely gives discretionary power that enables the administrative officers to protect the public and yet not be forced to embarrass the industry.

Now, if the coal up there will stand 50 cents a ton royalty, under this bill the Secretary will have authority to get it. If it will stand 25 cents a ton, under this bill the Secretary will get that. If it will stand 4 cents a ton royalty, the Secretary will get that. But if it will stand only 2 cents a ton, with the gentleman's amendment of 4 cents, we would not get anything and Alaska would not be developed.

I hope, Mr. Chairman, that the amendment of the gentleman from Ohio will not be agreed to.

Mr. CULLOP. Mr. Chairman—

Mr. FERRIS. One moment, Mr. Chairman. The debate on this amendment has closed. I think I have the right to close the debate on this amendment.

The CHAIRMAN. The gentleman from Indiana [Mr. CULLOP] is recognized.

Mr. CULLOP. Mr. Chairman, if gentlemen would figure on the amount of production in the mining of coal, at 2 cents a ton royalty, they would see that they would be selling Alaska at an enormous sum. Each acre of coal for each foot of thickness would produce 1,800 tons to the acre, and in a 5-foot vein it would produce 9,000 tons to the acre. At 2 cents a ton that would be \$180 per acre royalty.

But if the price is placed high, you will find that nobody will lease the land, but, on the contrary, they will buy the land, as they are doing now in every coal-producing territory in this country. At 2 cents a ton it would produce an enormous revenue, and the coal operator could afford to give \$100 an acre rather than pay 2 cents royalty and leave the owner the surface of the land.

But gentlemen must remember this, that on coal-producing land the coal may be bought for forty or fifty dollars an acre, and in many places at \$30 an acre, on lands that have 6 or 7 foot veins.

If that operator was to mine the coal on a royalty basis, the royalty would be an enormous amount. Now there will not be any operator willing to go into Alaska and pay a royalty of more than \$180 an acre. At 2 cents a ton, mining a 5-foot vein, the royalty would amount to \$180 an acre. If it is a 6-foot vein, it will be more, and if it is a 7-foot vein, more still, and so on. That is the basis upon which the estimate of coal is made per acre in coal-producing sections. Therefore 2 cents a ton is a higher royalty than you could get in many of the coal sections of the United States to-day, because they can buy the land and mine the coal much more cheaply, and save money by it. It would seem, therefore, that 2 cents per ton royalty, as the minimum price, is reasonable, and one that will tend to develop the country and prove a source of great revenue to the Government.

Mr. MONDELL. Mr. Chairman, I am glad to see that the House is becoming educated on this subject of coal royalties. If I may be allowed to refer again to the bill which was discussed briefly here three years ago, the lowest royalty in that bill was 3 cents a ton, 50 per cent higher than the royalty provided in this bill, and we came very near having a riot over it. Why, gentlemen pranced up and down the aisles and waved their arms and shouted that 50 cents a ton was a reasonable royalty on coal. One gentleman who was exceedingly earnest, said that 50 cents a ton royalty had been offered to the Cummings by the Guggenheims for all the billions of tons of coal in the great Bering River field, and it was an outrage, said he, to fix so low a rate as named in the bill. The bill was anathema and could not be tolerated; it was so outrageous, it was said, to thus give away the property of the people. I have forgotten whether the gentleman from Indiana [Mr. CULLOP] joined in that chorus or not; but if he did not, he was not here. Had he been here he would have shouted himself red in the face and hoarse; he would have been so fearfully outraged that we were proposing to give away the property of the dear people in Alaska under a minimum royalty of 2 cents a ton. But this bill is brought in here by a Democratic committee, and the gentleman from Indiana [Mr. CULLOP] supports the committee. He would support it even if it had been 1 cent a ton, or a half a cent a ton. Gentlemen who now take the same view fairly shouted themselves hoarse in protesting against the royalties that were proposed three years ago, the lowest of which was 50 per cent higher than the minimum royalty in this bill. I am glad that the House has, in the meantime, gotten some information on this subject of royalties. This minimum is a little low. If I had been fixing the royalties, I think I should have placed the minimum at 3 cents a ton, as we did three years ago. I think that is about low enough. And yet there are some coal fields in Alaska, particularly in the interior of the country, where they will mine lignite coal, where the enterprises will perhaps not stand a larger royalty than 2 cents. In the main, we ought to secure quite a bit more than that in both the Matanuska and Bering fields, and I think we will under the provisions of the bill. I think the minimum fixed by the committee, while a little low, is a reasonably satisfactory one under the circumstances.

The CHAIRMAN. The question is on the amendment of the gentleman from Ohio [Mr. WILLIS].
The question was taken; and on a division (demanded by Mr. FERRIS) there were—ayes 7, noes 50.
Accordingly the amendment was rejected.
Mr. FERRIS. Mr. Chairman, a parliamentary inquiry. How much time is there remaining on this section?
The CHAIRMAN. No time.
Mr. FERRIS. Then I move that the committee rise.
Mr. MANN. There is some time remaining on this section. We did not commence to debate until a quarter to 5—25 minutes.
Mr. BRYAN. I ask unanimous consent to extend my remarks on this bill.
The CHAIRMAN. The gentleman from Washington [Mr. BRYAN] asks unanimous consent to extend his remarks in the Record on this bill. Is there objection?
There was no objection.
Mr. FERRIS. Mr. Chairman, I move that the committee do now rise.
The motion was agreed to.
Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FITZGERALD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14233) to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes, and had come to no resolution thereon.

DISTRICT COURT AT JONESBORO, ARK.

Mr. CARAWAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 2167, an act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911," and agree to the Senate amendments.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to take from the Speaker's table the bill H. R. 2167, with Senate amendments, and agree to the same. Is there objection? [After a pause.] The Chair hears none.

The Senate amendments were read.

The Senate amendments were agreed to and the title was amended.

BRIDGE ACROSS BLACK RIVER, MO.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 17511, to reconsider the vote by which the bill was passed, and lay the same on the table.

The SPEAKER. The gentleman from Missouri asks unanimous consent to take from the Speaker's table the bill H. R. 17511, to reconsider the vote by which the bill was passed, and lay the same on the table.

Mr. ADAMSON. Mr. Speaker, I want to ask the gentleman if this is the Black River bridge bill?

Mr. RUSSELL. It is.

Mr. ADAMSON. It seems to me that inasmuch as this bill has once been laid on the table and was passed under a misapprehension the proper thing would be to vacate the proceeding.

Mr. MANN. We have passed the bill, and it is necessary to reconsider the vote by which the bill was passed.

Mr. RUSSELL. I move first, Mr. Speaker, to reconsider the vote by which the bill was passed.

The SPEAKER. When was the bill passed?

Mr. RUSSELL. On Tuesday last.

Mr. MANN. It was passed on the last unanimous-consent day.

Mr. RUSSELL. It was passed on Tuesday, and will be found on page 15912 of the Record. I think it was passed originally on the 20th day of August.

The SPEAKER. There is a certain limit to the time in which votes can be reconsidered.

Mr. MANN. But the gentleman asks unanimous consent.

The SPEAKER. The gentleman from Missouri asks unanimous consent to reconsider the vote by which this bill H. R. 17511, to authorize the Great Western Land Co. of Missouri to construct a bridge across Black River, was passed.

Mr. ADAMSON. Mr. Speaker, I had no purpose in objecting to the request, I was merely making a suggestion about the parliamentary situation.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. RUSSELL. Now, Mr. Speaker, I move to lay the bill on the table.

The motion was agreed to.

INCOME-TAX LAW.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Michigan asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, some time in June I brought to the attention of the House the matter of the ruling of the Treasury Department with reference to the imposition of penalties under the income-tax law. Under that ruling the minimum to be accepted was \$50. A new ruling, along the lines I contended for, has now been promulgated by the department, providing for a penalty of \$5 for the individual, \$10 for a corporation organized for profit, and nothing for corporations not organized for profit.

These nominal amounts will satisfactorily take care of all cases where penalties had not been paid prior to the date of the ruling. Many corporations throughout the country had already complied with the demand of the collectors of internal revenue by paying the \$50 minimum heretofore asked for. It appears to be the desire of the Treasury Department to make the refunds in these cases necessary in order to treat all alike and fairly. Such refunds can be made in cases where collectors of internal revenue have not covered the money into the Treasury. In many cases, however, the money has been covered into the Treasury. I know of a dozen such instances, all corporations of farmers, organized not for profit but for mutual purposes. The Comptroller of the Treasury has rendered an opinion that in such cases, where the money has gone into the Treasury, it can not be taken out by a refund without enactment of law to authorize such a course. It is self-evident that in fairness such refunds should be made, and I commend to you gentlemen consideration of the need of legislation which will make it possible. For this reason I ask unanimous consent to extend my remarks by inserting the regulations of the department and the opinion of the comptroller.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the Record by inserting the regulations of the Treasury Department and the opinion of the Comptroller of the Treasury. Is there objection?

There was no objection.

The matter referred to is as follows:

(T. D. 2015.)

INCOME TAX.

COMPROMISES—MINIMUM AMOUNTS WHICH WILL BE ACCEPTED.

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., August 13, 1914.

To collectors of internal revenue:

The fact has been developed that a great number of individuals and corporations failed to make returns of annual net income for the income tax, either through ignorance of the requirements of the law or through a misunderstanding of its requirements, and it has been determined by the Treasury Department to accept offers in compromise of the specific penalty for failure to file returns within the period prescribed by law in a minimum sum, as follows: \$5 from individuals, \$10 from corporations which are organized for profit.

In the cases of all corporations not organized for profit, the specific penalty will not be asserted this year, provided the required return has been or shall be filed before December 31, 1914. The United States district attorney should be requested not to institute proceedings in such cases.

The foregoing applies only to those cases where there was no intent to evade the law or escape taxation.

In all cases, however, wherein a return is not made until the liability to make a return is discovered by investigation of collectors of internal revenue or revenue agents, the above schedule will not necessarily apply, but each individual case will be decided upon its own merits and the amount of the offer in compromise which may be favorably considered will be determined accordingly.

ROBT. WILLIAMS, JR.,

Acting Commissioner of Internal Revenue.

Approved:

W. G. MCADOO,
Secretary of the Treasury.

TREASURY DEPARTMENT,
Washington, August 20, 1914.

The honorable the SECRETARY OF THE TREASURY.

SIR: I have your letter, of the 12th instant, as follows:

"When the question of the enforcement of the specific penalties against delinquents under the income-tax law was under consideration it was decided by the Commissioner of Internal Revenue and myself that a minimum sum of \$50 should be accepted in compromise from delinquent corporations and \$20 from delinquent individuals where there was no intent to violate the law or escape taxation."

"Reports to this department, through Members of Congress and collectors of internal revenue and individual correspondents, indicate that the insistence upon these penalties has created an immense amount of dissatisfaction against the law, and the question of adopting a different minimum, viz, \$10 in the case of corporations and \$5 in the case of individuals, is now under consideration. A large number of offers, based upon the former schedule, have been accepted, the circumstances in the cases being identical with those from which it is now proposed to accept \$10 and \$5."

"I therefore request your opinion as to whether the appropriation of \$50,000 for refunding internal-revenue collections, which appropriation was made for the purpose of refunding offers in compromise and other amounts deposited but not accepted, would be available to refund a portion of the amounts accepted in the cases mentioned, provided that upon application by the proponents I rescind my action in approving acceptance, thus restoring the status quo ante, and then accept the amount based upon the schedule now under consideration, the balance to be refunded."

"I may add that in a few cases under the corporation excise-tax law this course was pursued where offers had been made and accepted and it was subsequently found that no violation of law had been committed, and therefore there was nothing to compromise."

The appropriation for refunding internal-revenue collections for the current fiscal year (act of Aug. 1, 1914, Public No. 161, 63d Cong., p. 14) provides as follows:

"To enable the Secretary of the Treasury to refund money covered into the Treasury as internal-revenue collections under the provisions of the act approved May 27, 1908, \$50,000."

The act of May 27, 1908 (35 Stat., 325), provides that collectors of internal revenue shall pay daily into the Treasury of the United States the gross amount of all collections of whatever nature made by authority of law, and that the same shall be covered into the Treasury as internal-revenue collections. The act also made an appropriation of \$30,000 "to enable the Secretary of the Treasury to refund money covered into the Treasury as internal-revenue collections which under authority of law has heretofore been refunded or returned."

This statute and appropriations made pursuant thereto authorize the refund of such collections only as are authorized by law to be refunded or returned.

I find no law specifically authorizing the refund of moneys which have been paid in under compromise agreement and covered into the Treasury.

Section 3220, Revised Statutes, provides:

"The Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, is authorized, on appeal to him made, to remit, refund, and pay back all taxes erroneously or illegally assessed or collected, all penalties collected without authority, and all taxes that appear to be unjustly assessed or excessive in amount, or in any manner wrongfully collected."

Paragraph 1 of the income-tax section of the act of October 3, 1913 (38 Stat., 179), extends such existing laws relating to the refund of internal-revenue taxes as are consistent with the provisions of the section to the section and the taxes imposed therein.

In the cases under consideration the penalties for delinquency have been compromised under due authority, and the amounts under the terms of the compromises have been rightly and lawfully accepted in satisfaction of the penalties and have been duly covered into the Treasury. They are not cases of unjust assessment or excessive collection of taxes, and I find no authority for refunding the amounts paid and covered in, or any part thereof, even if you should rescind your former action in approving the acceptance.

Respectfully,

W. W. WARWICK,
Acting Comptroller.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 17442. An act to amend section 103 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the acts of Congress approved March 3, 1913, and June 6, 1914; and

H. J. Res. 330. Joint resolution to amend an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war," approved April 24, 1914.

ADJOURNMENT.

Mr. FERRIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Friday, September 4, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Public Utilities Commission of the District of Columbia, transmitting annual reports of utilities not received by February 2, 1914: Washington Interurban Railway Co., Washington & Old Dominion Railway Co., Great Falls & Old Dominion Railway Co., Metropolitan Coach Co., Baltimore & Ocean City Railway Co., Adams Express Co., American Express Co., Union Transfer Co., Auto-Livery Co., Barnett Taxicab Co., Federal Taxicab Co., Terminal Taxicab Co., Postal Telegraph-Cable Co., and Western Union Telegraph Co., was taken from the Speaker's table and referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LEVER, from the Committee on Agriculture, to which was referred the bill (S. 6266) to authorize the Secretary of Agriculture to license cotton warehouses, and for other purposes, reported the same with amendment, accompanied by a report (No. 1135), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the resolution (H. J. Res. 331) relating to the awards and payments thereon in what are commonly known as the Plaza cases, reported the same with amendment, accompanied by a report (No. 1136), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the bill (S. 5970) for the relief of Isaac Bethurum, reported the same without amendment, accompanied by a report (No. 1129); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 1703) for the relief of George P. Chandler, reported the same without amendment, accompanied by a report (No. 1130); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 145) for the relief of Charles Richter, reported the same without amendment, accompanied by a report (No. 1131); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 1044) for the relief of Byron W. Canfield, reported the same without amendment, accompanied by a report (No. 1132); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 2882) for the relief of Charles M. Clark, reported the same without amendment, accompanied by a report (No. 1133), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 18166) to correct the military record of A. J. Henry, reported the same with amendment, accompanied by a report (No. 1134), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McKELLAR: A bill (H. R. 18651) to create a farm-credit bureau in the Department of Agriculture, to encourage agriculture and ownership of farm homes, to secure a reduction of interest on farm first mortgages, and for other purposes; to the Committee on Agriculture.

By Mr. REILLY of Wisconsin: A bill (H. R. 18652) to provide for the raising of additional revenue through a tax on gifts, inheritances, bequests, legacies, devises, and successions in certain cases; to the Committee on Ways and Means.

By Mr. MURRAY of Oklahoma: A bill (H. R. 18653) to amend H. R. 18459; to the Committee on Insular Affairs.

By Mr. FLOOD of Virginia: A bill (H. R. 18654) providing for the appointment of secretaries in the Diplomatic Service and appointments in the Consular Service; to the Committee on Foreign Affairs.

By Mr. HENRY: A bill (H. R. 18655) for the temporary relief of American farmers engaged in the production of cotton, to indemnify the United States against loss, and for other purposes; to the Committee on Banking and Currency.

By Mr. GILLET: Joint resolution (H. J. Res. 334) to amend an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved July 21, 1914; to the Committee on Pensions.

By Mr. GARNER: Memorial requesting Congress to set apart all abandoned military reservations in the Southwestern States as sanatoria for the care of persons suffering from consumption; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of the State of Texas, favoring amending the banking and currency laws so as to make cotton-warehouse receipts collateral for the issuance of emergency currency; to the Committee on Banking and Currency.

By Mr. STEPHENS of Texas: Memorial from the Legislature of the State of Texas, favoring amending the banking and currency laws so as to make cotton-warehouse receipts collateral for the issuance of emergency currency; to the Committee on Banking and Currency.

Also, memorial requesting Congress to set apart all abandoned military reservations in the Southwestern States as sanatoria for the care of persons suffering from consumption; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLAYPOOL: A bill (H. R. 18656) granting an increase of pension to James R. Cowgill; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Connecticut: A bill (H. R. 18657) granting a pension to Maria Kavanaugh; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Iowa: A bill (H. R. 18658) granting an increase of pension to Nicholas McKenzie; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 18659) for the relief of the Nashville & Decatur Railroad Co.; to the Committee on Claims.

By Mr. SAMUEL W. SMITH: A bill (H. R. 18660) granting an increase of pension to Mary Clinton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CONNOLLY of Iowa: Petition of sundry citizens of West Point, Iowa, protesting against proposed war tax on cigars; to the Committee on Ways and Means.

By Mr. ESCH: Petitions of sundry citizens of Tonah, Wis., favoring national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of La Crosse, Wis., protesting against increase of tax on cigars; to the Committee on Ways and Means.

Also, petition of the Cordova (Alaska) Chamber of Commerce, relative to opening Alaska coal lands; to the Committee on the Territories.

By Mr. FITZHENRY: Petitions of R. N. Evans, Mrs. Mary L. P. Evans, Ida L. Evans, J. F. Sanders, T. T. Holton, Mrs. E. C. Holton, L. E. Worley, Fanie G. Wheeler, Mrs. A. H. Hart, William Maxwell, Julia E. Maxwell, Fletcher Brigham, Darl E. Phillips, J. C. Douglas, Louis Pochel, George W. Nance, Leota St. Clair, A. P. Benjamin, Everett Wightels, Mrs. Abbie Bowman, Mrs. Marie A. Ropp, Miss L. Ingram Mace, W. A. Hoover, Elizabeth Kyger, Mrs. A. E. Merritt, Ira H. Kyger, Anderson Brown, Elnora C. Brown, W. C. Frink, Mrs. W. O. Frink, Marian H. Ives, Jacob Ropp, George J. Alexander, Maggie Alexander, C. E. Garlock, Mrs. C. L. Capen, Mrs. M. B. Nelson, Mrs. F. M. Young, F. H. Wikoff, Mrs. E. W. Feddersen, E. W. Feddersen, A. F. Strange, W. A. Orendorff, J. H. Kirkpatrick, Mrs. Ida B. Gee, H. N. Pearce, May T. Pearce, M. E. Scott, T. L. Washburn, F. L. Washburn, W. S. Rodman, E. L. Ives, H. Woodworth, Mrs. G. V. Frink, Mrs. Sue A. Sanders, Josephine C. Armstrong, Ida Belle Miller, Mrs. Mary E. Kate,

L. M. Crosthwait, J. C. McCord, F. M. Austin, Litta E. Conard, Louisa Kauffman, S. D. Havens, Mrs. S. D. Havens, L. E. Eyer, Mrs. J. A. Beck, Mrs. Mae Garrigus, Mrs. Hofmann, A. A. Hofmann, Gladys M. Collins, H. A. Baird, Mrs. L. D. Welch, O. M. Rhodes, Mrs. Anna R. Hassler, Genevieve Moyer, Mrs. C. J. Moyer, E. J. Hyndman, C. J. Moyer, W. W. Travis, Mrs. W. W. Travis, Bryan Carlock, O. E. Bishop, Mrs. O. E. Bishop, Mrs. J. F. Bolin, A. C. Lartz, John V. Hileman, Mrs. Sadie H. Hileman, Mrs. William Moulic, Mrs. J. C. Douglas, Marie Lester, Franklin H. Lutz, Nordon D. Kinne, H. M. Cox, C. A. Rosemond, A. K. Lundborg, J. I. Bergstrand, Mrs. Emma Coleman, Rebecca Himes, Hattie M. Brown, M. C. Anderson, Mrs. M. C. Anderson, Mrs. Clark Gideon, Cora Cummins, H. V. Miller, Mrs. Dora A. Miller, Mrs. D. M. Davison, Charles H. Damaske, Flora Eaton, Amos R. Eaton, G. L. Gulliford, J. D. Cook, H. R. Stone, Mrs. R. M. Jones, Mrs. Mary M. Hankey, Elizabeth M. Lewis, A. A. Wilcox, J. D. Lateer, Frank Raisbeck, F. G. Isminger, Miss Josephine Lewler, Mrs. R. R. Ausmus, Mrs. Van Dervoort, Jesse Stauffer, Mrs. I. N. Ives, Mrs. W. H. Marquarm, N. C. Ives, C. C. Wagner, H. G. Johnson, Harriett Lake-Burch, John F. Welch, Mrs. J. T. Welch, Mrs. Sard Hayes, Lee Hayes, Mrs. D. R. Guthrie, George W. Swalley, Mrs. Ora E. White, Mrs. Earl R. De Pew, Mrs. L. E. Eyer, Mrs. W. H. Land, Katherine Mantle, Mrs. John Keller, Lucy E. Detrick, Mrs. S. F. McEwen, Mrs. D. Griffin, J. E. Hawthorne, F. L. Harrison, Serena J. Eads, Eleanor Nye, I. M. Ackerman, Mrs. I. M. Ackerman, H. H. Frye, P. L. Bolinger, L. Lawton, Louise Henninger, Artrude Strange, Clarence Anderson, Bessie Miller, Romaine Braden Loar, Milton M. Bowen, Thomas Feddersen, Elis Hastings, L. H. Rathbun, Harriet White, Mary A. McColm, Anna Plumley, Catharine Mott, Loretta Gordon, Nimrod Mace, J. C. Mace, Minnie Moon, Mrs. J. C. Mace, A. T. Spath, E. C. Case, M. C. Gould, Mrs. H. M. Cox, Henrietta McCabe, W. A. Whitcomb, Agnes D. Whitcomb, A. B. Lewis, Ada Whitcomb Adams, W. Z. Roberts, Mrs. L. O. Veatch, H. H. Brown, Clara Coen, Carrie Loudon, C. P. Price, William H. Johnson, Frank Boulware, Addie M. Boulware, Sadie P. Rogers, Flora K. Johnson, Mary Wallace, Grace Bringham, W. A. Bringham, P. A. Rudosill, Constance Loar, Lucy Washburn, Mildred W. Loar, John Schlosser, Carl Johnson, W. L. Brown, Matrox Warner, M. D. Meiss, G. F. Richardson, E. G. Purper, J. E. Willis, Hal Stewart, F. B. Herrin, E. D. Mehan, E. P. Sloan, Charles A. Hodgson, E. E. Schultz, Mrs. E. E. Schultz, Samuel R. White, J. C. Spangler, Eda H. Goodheart, Adelaide B. Holton, Hazel B. Karr, C. A. Hendryx, M. Belle Branson, and William Branson, all of Bloomington; Hattie Allin, of McLean; Mrs. Laura M. Borst, H. L. Cochran, E. J. De Lano, L. B. Underwood, W. H. Hurley, George C. Eccles, and E. W. O'Toole, of Chicago; John L. Ayers, E. B. Landis, and W. H. Ayers, of Danvers; Edgar Packard, J. S. Reece, and Wayne S. Moore, of Normal; Eliza J. McClure, Heyworth; Lucinda Whitcomb, Downs; James F. Cooper, Canton; N. R. Ray, Carrollton; D. O. Garber and R. E. Garber, of Peoria; Lola L. Cleveland, Pekin; F. D. Pfeiffer, Kewanee; and R. W. Short, Chicago, all in the State of Illinois; also Mrs. S. F. McEwen and S. F. McEwen, of St. Joseph, Mo.; G. H. Way, Boston, Mass.; C. W. Graves, Indianapolis, Ind.; W. M. Miller, Minneapolis, Minn.; S. D. Clayton, Mexico City, Mexico; Kathryn File, Tahlequah, Okla.; and M. B. Lamm, London, England, favoring consideration of Poindexter resolution to settle the controversy as to who is the discoverer of the North Pole; to the Committee on Naval Affairs.

By Mr. FLOOD of Virginia: Petitions of sundry citizens of the State of Virginia, relative to personal rural credit system; to the Committee on Banking and Currency.

By Mr. KENNEDY of Iowa: Petition of P. G. Guenther and others, of Burlington, Iowa, protesting against levying tax on cigars; to the Committee on Ways and Means.

By Mr. LEVY: Petition of Daggett & Ramsdell, relative to placing a stamp tax on proprietary goods; to the Committee on Ways and Means.

Also, petition of the National Cloak and Suit Co., protesting against the passage of House bill 17566; to the Committee on the Post Office and Post Roads.

Also, petition of the New York State Council of Carpenters, protesting against the high cost of living; to the Committee on Agriculture.

By Mr. LIEB: Petition of Cigarmakers' Local Union No. 54, of Evansville, Ind., Ed. A. Scheurer, chairman, and Ernst Schellhase, secretary, favoring the taking over by the Government as an emergency measure of the packing plants, cold-storage warehouses, granaries, flour mills, and such other plants and industries as may be necessary to safeguard the food supply of the people of this country during the war in Europe, etc.; to the Committee on Banking and Currency.

Also, memorial of Cigarmakers' Local Union No. 54, of Evansville, Ind., Ed. A. Scheurer, president, and Ernst Schellhase, secretary, remonstrating against proposed increase in the revenue tax on cigars; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of Joseph Heck, of East Hartford, Conn., protesting against the proposed raise in revenue tax on cigars; to the Committee on Ways and Means.

Also, petition of B. Lazarus and 101 other citizens of Hartford, Conn., protesting against the proposed raise in revenue tax on cigars; to the Committee on Ways and Means.

By Mr. McLAUGHLIN: Petition of sundry citizens of Muskegon County, Mich., favoring national prohibition; to the Committee on Rules.

By Mr. MERRITT: Petition of Melvil Dewey, of Lake Placid Club, New York, favoring the appointment of a national motion-picture commission; to the Committee on Education.

Also, petition of Melvil Dewey, of Lake Placid Club, New York, favoring national prohibition; to the Committee on Rules.

Also, petition of Mrs. George F. Schroder, Mrs. F. E. Kendall, Mrs. M. E. Taylor, Mrs. C. E. Stringham, Mrs. W. H. Harrington, Mrs. J. F. Liscomb, Mrs. John V. King, Mrs. Benjamin Woodruff, Mrs. Raymond Morhous, Mrs. Parker, Mrs. R. A. Hatch, Mrs. L. V. Morhous, Mrs. F. S. Podwell, Mrs. H. Pearson, Mrs. Clara M. Wilson, Mrs. Sarah L. Hughes, Howard W. Hughes, Roberta Ratcliffe, Nettie S. Ratcliffe, and Ida L. Lewis, all of Saranac Lake, N. Y., protesting against the passage of House bill 16904; to the Committee on the District of Columbia.

By Mr. J. I. NOLAN: Petitions of sundry citizens of California, favoring the Hobson prohibition resolution; to the Committee on Rules.

By Mr. SAUNDERS: Petitions of E. Parr and other citizens of the State of Virginia, relative to rural credits; to the Committee on Ways and Means.

By Mr. YOUNG of North Dakota: Petition of the Young People's Society of Christian Endeavor of Fullerton, N. Dak., favoring manufacture by the United States Government, instead of by private concerns, of such munitions of war as are necessary for the safety of the Nation; to the Committee on Military Affairs.

SENATE.

FRIDAY, September 4, 1914.

(Legislative day of Tuesday, August 25, 1914.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. KENYON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Asbust	Dillingham	Nelson	Simmons
Bankhead	Fletcher	O'Gorman	Smith, Ga.
Brady	Gallinger	Overman	Smoot
Bryan	Jones	Owen	Swanson
Burton	Kenyon	Perkins	Thompson
Camden	Kern	Pomerene	Thornton
Chamberlain	Lane	Ransdell	Vardaman
Clapp	Lea, Tenn.	Reed	Walsh
Clark, Wyo.	Lee, Md.	Shafroth	Williams
Colt	Martin, Va.	Sheppard	
Culberson	Martine, N. J.	Shields	

Mr. DILLINGHAM. I desire to announce that my colleague [Mr. PAGE] is still detained at home on account of illness in his family.

The VICE PRESIDENT. Forty-two Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. THOMAS answered to his name when called.

Mr. CLAPP. I desire to state that both the senior Senator from Wisconsin [Mr. LA FOLLETTE] and the senior Senator from Kansas [Mr. BRISTOW] are detained from the Chamber on account of illness.

Mr. CLARK of Wyoming. I wish to announce the unavoidable absence of my colleague [Mr. WARREN] and to state that he is paired with the senior Senator from Florida [Mr. FLETCHER].

Mr. SMOOT. I desire to announce the unavoidable absence of my colleague [Mr. SUTHERLAND]. He has a general pair with the senior Senator from Arkansas [Mr. CLARKE]. I wish also to announce the unavoidable absence of the junior Senator from West Virginia [Mr. GOFF], who is paired with the senior Senator from South Carolina [Mr. TILLMAN]. I will let this announcement stand for the day.